



PLANNING, BUILDING AND CODE ENFORCEMENT
200 E. SANTA CLARA STREET ▪ SAN JOSE, CA 95113

PLANNING COMMISSION STAFF REPORT

File No.	PDC13-041
Applicant	Kenneth Rodrigues
Location	West side of North 1st Street between Sonora Avenue and Skyport Drive (1601 Technology Drive)
Existing Zoning	A(PD) Planned Development (File No. PDC02-017)
Proposed Zoning	A(PD) Planned Development
Council District	3
Historic Resource	No
Annexation Date	August 11, 1961
CEQA	Addendum to the Final Program EIR for the North San Jose Policies Update, Final EIR for the Spieker/Skyport Project, and Final Program EIR for the Envision San Jose 2040 General Plan

APPLICATION SUMMARY: Planned Development Zoning to rezone from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow 350,000 square feet of office/hotel uses and increase in height to 150 feet on a 5.29 gross acre site.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the Planned Development Rezoning for the reasons stated in this staff report.

PROJECT DATA

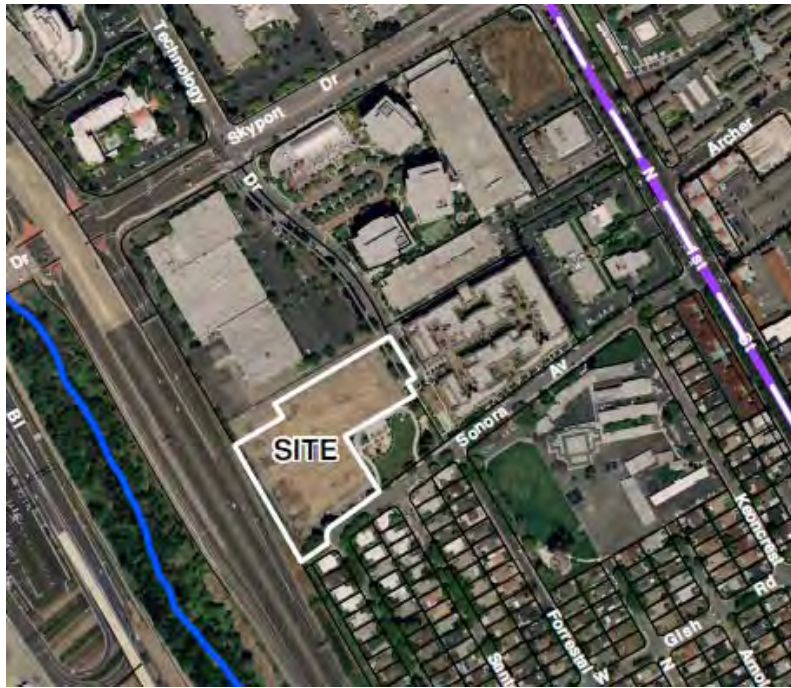
GENERAL PLAN CONSISTENCY			
General Plan Designation		<input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	
Consistent Policies		IE-1.5	
Inconsistent Policies		None	
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Industrial Park	A(PD) Planned Development; Industrial Park, Light Industrial	Office

South	Residential Neighborhood	R-1-8 Single-Family Residence	Single-family Residences
East	Urban Village	A(PD) Planned Development	Multiple Family Residence
West	Open Space, Parklands, and Habitat	HI Heavy Industrial	State Route 87 and Mineta San Jose International Airport
RELATED APPROVALS			
Date	Action		
08/11/61	Annexation into the City (Airport No. 10).		
07/18/96	Rezoning to the I Industrial Zoning District (C96-07-040).		
04/26/98	Site Development Permit for 5 eight story office buildings on a 40.9 gross acre site (H98-042).		
09/03/98	Conditional Use Permit for construction of a temporary parking lot (CP98-041).		
07/07/99	Planned Development Zoning to allow up to 1,584,933 square feet of Research and Development, retail, and hotel uses, and 315 multi-family attached residence on a 40.95 gross acre site (PDC99-060).		
02/09/00	Planned Development Permit for the construction of 555,000 square feet of office and 43,000 square feet of commercial uses on a 12.48 acre site (PD00-018).		
08/25/00	Demolition of an existing vacant structure and construction of a surface parking lot (PD00-068).		
02/21/02	Conforming Planned Development Rezoning from A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to allow an increase in height of the building from 50 feet to 65 feet for the previously approved 315 unit multi-family residential project on a 5.24 gross acre site.		

PROJECT DESCRIPTION

The proposed project is a rezoning from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District. This rezoning proposes to add 350,000 square feet of office space to the current A(PD) Planned Development Zoning District, while simultaneously maintaining the existing entitlement for a 400-room hotel. In the future, if the site is ever redeveloped, the site will not be used concurrently as a hotel and office under the proposed PD Zoning District. The site will only be developed as an office or as a hotel. The rezoning will also allow a building height increase to 150 feet for the office structure. This is the maximum height for the entire property site.

The subject site is roughly 230,650 square feet and is part of a larger 38.13 acre site. The overall site is currently zoned to include 1,100,000 gross square feet of office, 32,000 gross square feet of retail, 700 hotel rooms (300 of which have been built), 14,000 square feet of athletic club/retail/office flex space, and 315 residential units (which have also been built). The additional office square footage would put the total gross square footage of office at 1,460,000 square feet for the entire site.



The site is bounded to the north by Skyport Drive, State Route 87 (Guadalupe Freeway) on the west, Sonora Avenue to the south, and North First Street to the east. The surrounding land uses include Rosemary Gardens, a single family neighborhood to the south, industrial office/research and development office buildings to the north, the San Jose International Airport to the west, and commercial office, a bank, an extended-stay hotel, and multi-family residential development to the east.

ANALYSIS

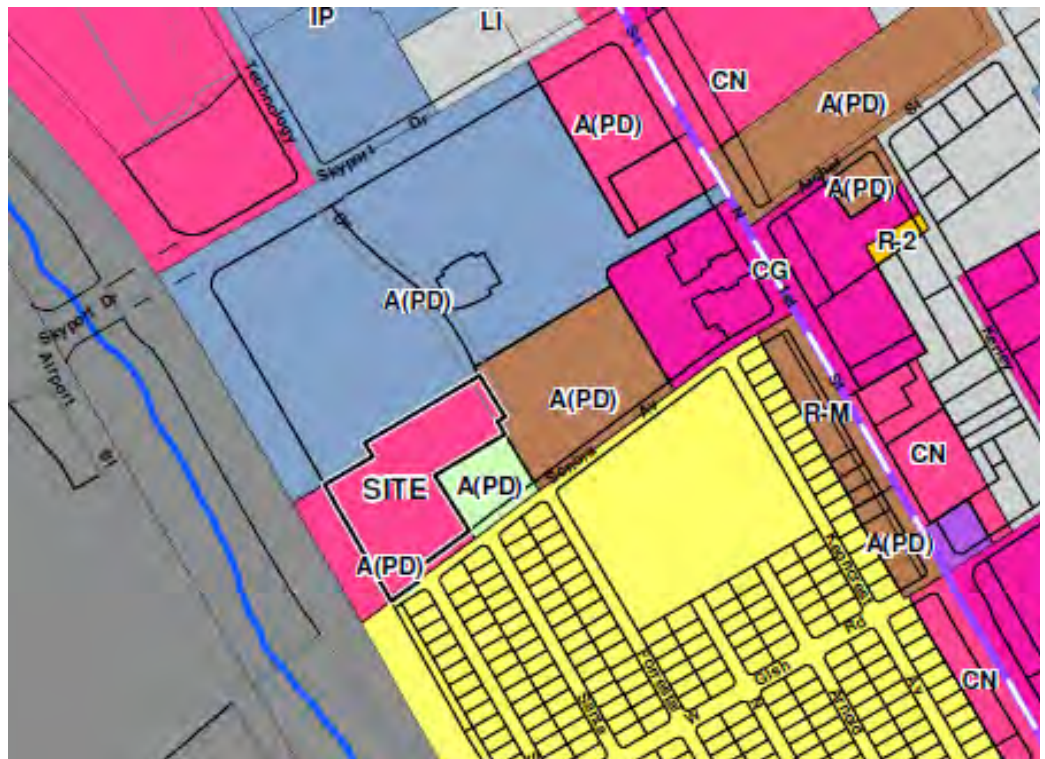
Envision San José 2040 General Plan Conformance

The proposed rezoning is in the North San Jose Growth Area established by the Envision San Jose 2040 General Plan.

North San Jose is the City's largest employment district, and the General Plan has positioned North San Jose to be an area of large economic growth and development.

Development in this area is intended to make San Jose more competitive and attractive as a place to start and grow businesses in the Silicon Valley region, as well as

relative to national and international competitors, and to improve economic opportunity and quality of life for the City's residents. With the addition of 350,000 square feet of office space integrated into this project site, this project will contribute to the City's efforts to continue to grow and expand the economic vitality of North San Jose.



The General Plan Land Use/Transportation Diagram designation for the project site is Industrial Park. The Industrial Park designation is an industrial designation intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing and offices. The General Plan's land use policies place particular emphasis on supporting office use in Industrial Park designated areas in order to achieve a more balanced live-work ratio throughout the city. The rezoning of this property will allow for the development of a ten story office building, which will promote job growth and help the City achieve the objectives of the Industrial Park land use designation, as well as other General Plan land use policies discussed below.

In addition, the proposed project is also consistent with the following General Plan land use policy:

1. Land Use and Employment Policy IE-1.5 Promote the intensification of employment activities on sites in close proximity to transit facilities and other existing infrastructure, in particular within the Downtown, North San Jose, the Berryessa International Business Park, and Edenvale.

Analysis: The project site is located next to State Route 87 (Guadalupe Freeway), the San Jose International Airport, and other public transportation routes. By providing employment in areas that are accessible to transit, the City is better able to reduce the amount of traffic in this area.

Conformance with the North San Jose Area Development Policy

The City developed several policy documents in order to guide the ongoing growth and development of the North San Jose area as a key employment center for San Jose. The North San Jose Area Development Policy works in conjunction with the General Plan to facilitate employment and development in North San Jose. This policy supports economic activity in the North San Jose area by encouraging the creation of up to 80,000 new jobs along the North San Jose First Street corridor. The project site is within this corridor and will be a critical source for the City to meet its employment goals. This policy is also designed to attract large corporations to this particular area of the City by allowing larger and denser commercial and industrial development. This rezoning will allow for a ten story, 355,000 square foot office building, which is the type of project encouraged by the policy. As such, this proposed rezoning is in conformance with the North San Jose Development Policy.

Conformance with the Existing Development Standards

The rezoning will include most of the development standards from the existing Planned Development Zoning (File No. PDC99-060). The proposed project will maintain the entitlement option to build a 400-room hotel on the existing site; this rezoning will also provide the applicant the opportunity to build a 350,000 square foot office building. The allowable height for this portion of the project has been increased from 120 feet to 150 feet. All roof equipment and structures must be within the proposed 150 height limit, whereas the current zoning allows a 12-foot height exception above the 120 height limit to allow for rooftop equipment enclosures. Appropriate building heights can vary significantly depending on the existing context, street typology, planned growth for an area, and other community factors. Consistency of building

height for airport safety is also taken into consideration for building height. The 150-foot height limit is also consistent with the General Plan Land Use/Transportation Diagram designation of Industrial Park, which allows buildings that are 2 to 15 stories in height. At 150 feet, the proposed project will likely be approximately 10 stories. Additionally, this allowable height is consistent with the height of other existing and proposed buildings of the Skyport Plaza plan.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Addendum was prepared for this project which tiered off of the Final Program EIR for the North San Jose Development Policies Update, Resolution No. 72768; the Final EIR for the Spieker/Skyport Project, Resolution No. 69421; and the Final Program EIR for the Envision San Jose 2040 General Plan, Resolution 76041, under the provisions of the environmental review requirements of Title 21 of the San Jose Municipal Code implementing the California Environmental Quality Act of 1970, as amended. The CEQA Guidelines Section 15162 states that when an EIR has been certified, no subsequent EIR shall be prepared for that project unless the lead agency determines that either substantial changes are proposed to the project which will require major revisions to the previous EIR, substantial changes will occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR, or new information of substantial importance is available. The Addendum concluded that the implementation of the proposed Planned Development Rezoning would not result in any new significant impacts, impacts that are cumulatively considerable, or will directly or indirectly cause substantial adverse effects on human beings beyond those disclosed and evaluated in the Final EIRs. A copy of the Addendum is available on the City's "Active EIRs" web page located at <http://www.sanjoseca.gov/index.aspx?NID=2434>. A copy of the Addendum is also available for review at the Department of Planning, Building, & Code Enforcement, located on the 3rd floor of City Hall.

PUBLIC OUTREACH/INTEREST

On June 4, 2014, a community meeting was held to discuss the proposed rezoning. Approximately 30 people attended the meeting. The attendees were supportive of the increase in office space at the site. However, the community was concerned about traffic, more specifically, the ability of Technology Drive to handle the increase in traffic generated by the new office use. The City certified the North San Jose FEIR in June 2005 which included a comprehensive traffic analysis that identified existing conditions, including conditions anticipated to occur with the implementation of specifically identified roadway improvements already planned and approved for the area. There have not been any substantial modifications to the transportation facilities and infrastructure since certification of the North San Jose FEIR. Staff has concluded that the implementation of the project would result in the same significant impacts to the transportation system as was previously identified in the North San Jose FEIR and the General Plan FEIR. Staff's evaluation did not take into account Technology Drive specifically, as it is a private street, outside the purview of City authority. In an effort to reduce the perceived traffic congestion, the applicant has agreed to restripe Technology Drive to eliminate the lane of parking spots, which will increase the ability to queue cars that wish to turn onto Skyport Drive from Technology Drive. The City also agreed to reevaluate the signal at Technology Drive and Skyport Drive to determine if a longer green light would help with traffic flow.

PUBLIC HEARING NOTIFICATION

Although this item does not meet any of the criteria below, staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. The staff report is also posted on the City's website. Signage has been posted at the site to inform the public about the proposal. Staff has been available to respond to questions from the public.

- ☐ **Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
(Required: Website Posting)
- ☐ **Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.
(Required: E-mail and Website Posting)
- ☐ **Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. (Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)

Project Manager: Lea C. Simvoulakis

Approved by: *Sylvia D*, Division Manager for Harry Freitas, Planning Director

Date: *9/3/14*

Attachments:

Exhibit A: Draft Ordinance
Exhibit B: Development Standards
Exhibit C: E-mail Correspondence
Exhibit D: Plan Sets

Owner:

Todd R. Hedrick, Sr. Vice President
Equity Office
1740 Technology Drive, Suite 150
San Jose, CA 95110

Applicant:

Kenneth Rodrigues
Kenneth Rodrigues & Partners, Inc.
445 N. Whisman Road, Suite 200
Mountain View, CA 94043

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING CERTAIN REAL PROPERTY SITUATED ON THE WEST SIDE OF NORTH 1ST STREET BETWEEN SONORA AVENUE AND SKYPORT DRIVE, FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, an Addendum to the Final Program EIR for the North San Jose Development Policies Update, certified by the City Council on June 21, 2005 in conformance with the California Environmental Quality Act, the Final Program EIR for the Spieker/Skyport Project, certified by the City Council on February 29, 2000 in conformance with the California Environmental Quality Act, and the Final Program EIR for the Envision San Jose 2040 General Plan certified by the City Council on November 11, 2011 in conformance with the California Environmental Quality Act, said Addendum was prepared and approved by the Planning Director and said approval has not been challenged, protested or appealed; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to A(PD) Planned Development Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the application of said Addendum prior to taking any approval actions on this proposed project.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as A(PD) Planned Development.

The base district zoning of the subject property shall be A - Agriculture. The PD zoning of the subject property shall be that development plan for the subject property entitled, "Skyport Plaza Hotel/Office," dated August 29, 2014.

The General Development Plan for this A(PD) Planned Development rezoning is on file in the office of the Director of Planning and is available for inspection by anyone interested therein, and said General Development Plan is by this reference adopted and

incorporated herein the same as if it were fully set forth herein.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 2. The district map of the City is hereby amended accordingly.

SECTION 3. The land development approval that is the subject of City File No. PDC13-041 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this 10th day of September, 2014 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

ATTEST:

CHUCK REED
Mayor

Toni Taber
City Clerk

DRAFT--Contact the Office of the City Clerk at (408)535-1260 or CityClerk@sanjoseca.gov for final document.

CC Agenda:
Item #:

GENERAL DEVELOPMENT PLAN

I. LAND USE

A. Office/Retail Mixed-Use Parcel (Parcels 1A, 1B, 2E, 2F, 2G)

- 1) Permitted Uses:
 - a) Office – Up to 1,460,000 square feet pursuant to the permitted uses of the IP-Industrial Park Zoning District.
 - b) Parcel 1A Retail – Up to 29,000 square feet pursuant to the permitted uses of the CP Commercial Pedestrian Zoning District, as amended.
 - c) Parcel 2E Retail – Up to 3,000 square feet pursuant to the permitted uses of the CP Commercial Pedestrian Zoning District, as amended.
 - d) Parcel 1A commercial – Up to 14,000 gross square feet of permitted uses of the CP Commercial Pedestrian Zoning District, including indoor recreation permitted in the CP Zoning District. The use of which will be for on-site residents, office and hotel users and their guests.
- 2) Special and Conditional Uses
 - a) Alcohol Sales:
 - i. Incidental consumption of alcohol shall be allowed with permitted Commercial Uses.
 - ii. Sale of alcohol on this site for off-site consumption shall be subject to a Planned Development Permit approved by the Director of Planning.

B. Hotel/ Office (Parcels 1C, 2G)

- 1) Permitted Uses:
 - a) Parcel 1C – 300 Room Hotel
 - b) Parcel 2G – 400 Room Hotel/ Up to 350,000sf of Office
 - c) Hotel-Serving Support - Incidental retail pursuant to the definitions included in the city Zoning Code of San Jose.

II. DEVELOPMENT STANDARDS

A. General

- 1) No vehicular access to the project site shall be allowed from Sonora Avenue.
- 2) Promenades, Paseos and Trails

Within Parcels 1A, 1B and 1C, a network of pedestrian promenades and passages shall be created to provide strong linkages between the light rail transit station and residential,

office/commercial development within the Parcels. Details of these promenades and passages, including edge landscaping, pavement variation and accents, intersection treatment, benches, lighting, and other outdoor furniture shall be provided at the Planned Development Permit stage.

3) Architectural Treatment

The design of the development shall create an appropriate urban façade at the North First Street and Skyport Drive elevations, reinforcing its role as an important pedestrian and vehicular entryway to the City of San Jose International Airport. Special architectural treatments and articulation above both streets shall be incorporated into the design including tower and gateway elements, as well as colorful transparent storefronts that promote a lively pedestrian and transit environment. The scale, treatment and materials of the facades along North First Street and Skyport Drive shall be compatible with adjacent commercial structures. Within the development, the building design shall create a sequence of lively and intimately scaled pedestrian “rooms” that support informal gatherings, outdoor dining and special events.

4) Ground Level Orientation

Active ground level commercial uses such as retail shops and restaurants shall be provided within Parcels 1A, 1C and 2E, along the North First Street and Skyport Drive frontages and along the promenades and pedestrian ways within the project as follows:

- a) Ground level uses shall include transparent storefront treatments with projecting canvas awnings that promote a comfortable pedestrian environment and that are architecturally integrated within the overall building design.
- b) Parking shall not be permitted along North First Street or Skyport Drive except that parking may be permitted provided that:
 - Surface and structured parking is setback back from the property line by 25 feet and is screened with perimeter landscaping.
 - Structured parking facilities are designed to be architecturally compatible with the remainder of the development.

B. Office/Retail Mixed-Use Parcel (Parcels 1A, 1B, 2E, 2F)

1) Setbacks: Measured from face of curb:

- a) Commercial/Retail - Commercial retail frontage along North First Street and along Skyport Drive between North First Street and Technology Drive and Guadalupe Parkway, shall provide a maximum 10-foot setback from the property line to promote an

active street front environment adjacent to the light rail transit station.

- b) Office – Consistent with Rincon South Specific Plan.
 - i. Skyport Drive- West of Technology Drive = 37' setback with a 15' front yard, 12' ped/bicycle path, 10' park strip.
 - ii. Skyport Drive- East of Technology Drive = 33' setback with a 15' front yard, 8' sidewalk, 10' park strip.

2) Building Heights

- a) The maximum height of development shall be 120 feet to the main roof area of the building. Equipment enclosures, if required, will be centered and designed in a compact manner and are excluded from this height limit. They shall not exceed 12' in height and be designed using compatible building materials to match the adjacent wall surfaces of the office tower.

3) Parking Requirements

- a) Office – Parking requirements shall be pursuant to the City of San José's Minimum Off-Street Parking Requirements, as set forth in the Zoning Ordinance (Section 20.12.215). One space for each 1/350 net square feet.
- b) Commercial/Retail/Office – A 10% reduction in the City of San José's Minimum Off-Street Parking Requirements, as set forth in the Zoning Ordinance (Section 20.12.215) shall be permitted because of the project's transit orientation. Retail and commercial stores and shops shall provide 3.75 parking spaces for each 1,000 gross square feet (1/225 net square feet).

C. Hotel (Parcel 1C)

1) Setbacks

- a) North First Street and Skyport Drive – Along North First Street and Skyport Drive buildings shall have a 10 foot setback from the street curb edge.
- b) Minor Architectural Projections such as canopies, marquees and other architectural appendages may project into any setback by up to five feet for a length not to exceed 10 feet or 20 percent of the building length.

2) Building Heights

- a) The maximum height of development shall be 120 feet to the main roof area of the building (equipment enclosures, if required will be centered and designed in a compact manner and are excluded from this height limit).

D. Hotel/ Office (Parcels 2G)

3) Setbacks

- a) Consistent with Rincon South Specific Plan.
 - i. Skyport Drive- West of Technology Drive = 37' setback with a 15' front yard, 12' ped/bicycle path, 10' park strip.
 - ii. Skyport Drive- East of Technology Drive = 33' setback with a 15' front yard, 8' sidewalk, 10' park strip.
 - iii. Sonora Drive – Along Sonora Drive buildings shall have a 25 foot setback, consistent with the Rincon South Specific Plan.
- b) Minor Architectural Projections such as canopies, marquees and other architectural appendages may project into any setback by up to five feet for a length not to exceed 10 feet or 20 percent of the building length.

4) Building Heights

- b) The maximum height of development shall be 150 feet, including all equipment enclosures. A building mounted wireless communication antenna may be increased over the required maximum height of the zoning district no more than ten feet above the building surface on which it is located.
- c) Building Height – Sonora Avenue:
 - The first 25 feet of new industrial and commercial buildings along Sonora Avenue should be limited in height to 35 feet.
 - Beyond the first 25 feet, industrial and commercial buildings should maintain a one and one-half foot setback from residential properties on the south side of Sonora Avenue for every foot of building height.
 - At a setback distance of 150 feet from the street curb, the building height may increase to 150 feet.

5) Parking Requirements

- a) The following minimum off-street parking requirements shall be utilized for the Hotel Parcels. Provide 1 space for each hotel room within the development. Ancillary retail and support services shall not be required to provide parking as long as those uses are hotel operated such as a gift shop, support retail, etc.

- b) Office – Parking requirements shall be pursuant to the City of San José’s Minimum Off-Street Parking Requirements, as set forth in the Zoning Ordinance (Section 20.12.215). One space for each 1/350 net square feet.

C. Post-construction Storm Water Treatment Controls

- 1) The project shall incorporate Post-construction storm water treatment controls. Appropriate control methods shall be identified and incorporated at the planned development permit stage.

III. PERFORMANCE STANDARDS

A. Office/Retail Mixed-Use Parcel (Parcels 1A, 1B, 2E, 2F 2G)

- 1) All on-site development and activities shall conform to the Performance Standards of the IP Industrial Park Zoning District.

IV. OFF-SITE IMPROVEMENTS

The following improvements shall be implemented as part of the project prior to the issuance of the first building permit.

A. Fees

- 1) In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.

B. Geology

A soils report addressing the potential hazard of liquefaction must be submitted to and accepted by the City Engineering Geologist prior to the issuance of a Public Works Clearance or a grading permit.

- 1) A grading permit is required prior to the issuance of a Public Works Clearance.
- 2) Because this project involves a land disturbance of more than five acre, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of

these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.

C. Sanitary

- 1) Applicant shall submit a conceptual sanitary sewer plan with the PD permit application.

D. Flood

- 1) Zone D, AO-1, AO-2. Elevation certificate is required prior to the issuance of a building permit for those areas in the flood zone.

E. Transportation

- 1) This project sends traffic through the North San Jose Deficiency Plan area and must participate in the payment of the North San Jose Deficiency Plan fee (The current fee is \$362 per trip).

F. Electrical

- 1) Installation of new and/or upgrade of existing electroliers may be required. Remove and salvage existing electroliers along the abandoned portion of Technology Drive.

G. Landscape

Install street trees within the public right-of-way along the entire street frontage per City standards.

- 1) The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.

H. Referrals

- 1) This project should be referred to California Department of Transportation (CalTrans).

I. Traffic Mitigation

- 1) Prior to issuance of the first building permit, the improvements for Skyport Drive and First Street shall be guaranteed. Prior to issuance of building permits for the first new net increase in

square footage on the site, the Skyport interchange must be within one year of completion.

In addition, the following mitigation shall be provided:

- a) First and Skyport- The addition of a second eastbound left turn lane.
- b) Technology and Skyport- The addition of a second northbound left-turn lane.
- c) SR87 and Skyport- The addition of a second northbound right-turn lane

J. Construction Agreement

- 1) The applicant will be required to obtain a Public Works Clearance prior to the issuance of a Building Permit. The clearance will require the execution of a Construction Agreement that guarantees the completion of the Public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.

V. ENVIRONMENTAL MITIGATION

A. Land Use

- 1) The project shall be subject to the City's Grading Ordinance; all earth moving activities shall include provisions to control fugitive dust, including regular watering of the ground surface, cleaning nearby streets, damp sweeping and planting any areas left vacant for extensive periods of time. Demolition and construction activities will be limited to daytime hours. Unnecessary idling of internal combustion engines will be strictly prohibited. All stationary noise generating equipment will be located as far as practical from existing residences, school and business.

B. Air Quality

- 1) The project includes vehicle trip reduction measures (TDM), which could reduce regional impact of the project by 5-15%.
- 2) The project shall be subject to the City's Grading Ordinance; all earth moving activities shall include provisions to control fugitive dust, including regular watering of the ground surface,

cleaning nearby streets, damp sweeping and planting any areas left vacant for extensive periods of time.

C. Noise

- 1) Temporary noise impacts shall be reduced by limiting construction to daytime hours (7:00 a.m. to 7:00 p.m. weekdays and 8 a.m. to 5 p.m. Saturdays). Construction mitigation measures, such as locating all stationary noise generating equipment as far as practical from existing residences and park uses, are included in the project to reduce potential construction noise impacts. In addition, truck traffic shall be prohibited on Sonora Avenue, and the construction contractor will consult with neighboring school and residences regarding the proposed construction schedule.

D. Hydrology and Flooding

- 1) The project will comply with the City's Flood Hazards Ordinance and with Federal Flood Insurance regulations. Structures will be built above the 1% surface flood elevation.
- 2) The project shall conform to the City's non-point source program and will obtain and conform to the requirements of the General NPDES Construction Activity Stormwater Permit administered by the Regional Water Quality Control Board. Best management practices shall be included in the project to limit urban runoff contaminants from entering storm drains. Project grading plans will conform to the drainage and erosion control standards adopted by the City of San Jose. The site will also be required to comply with the City's post-construction storm water runoff requirements.

E. Public Health and Safety

- 1) All demolition activities shall be undertaken according to OSHA and EPA standards to protect workers and offsite occupants from exposure to asbestos and lead based paint. Hazardous materials shall be disposed of in conformance with Federal, State and local laws. Cleanup and remediation of the site shall be required to meet all Federal, State and local regulations. All USTs will be properly closed and removed according to City of San Jose Fire Department standards, and existing ground water monitoring wells will be abandoned according to RWQCB and SCVWD regulations if no longer needed.

F. Vegetation and Wildlife

- 1) If construction activities are to occur during the nesting season, Preconstruction raptor surveys shall be conducted, and no disturbance of active raptor nests shall be allowed. If raptors are present, the Department of Fish and Game shall be contacted and appropriate construction-free buffers shall be established.
- 2) Preconstruction surveys shall be completed by a qualified ornithologist no more than 30 days prior to the start of construction to verify the presence of owls. If owls are present on the site prior to construction, the applicant shall enter into an agreement with the Department of Fish and Game to relocate the owls, find replacement habitat, or other suitable measures.
- 3) The loss of ordinance-sized trees shall be mitigated by implementation of landscaping plans approved by the City of San Jose, in conformance with the City of San Jose landscaping guidelines and City of San Jose Planning Department specifications. Typical tree replacement ratios required by the City of San Jose include the following tree guidelines: 1) replacement of 2-11" diameter trees with 15 gallon trees at a 1:1 ratio; 2) replacement of 12-17" diameter trees with 15 gallon to 24 inch box trees at a 2:1 ratio; and 3) replacement of 18"+ diameter trees with 15 gallon to 24 inch box trees at a ratio of 4:1. During site redevelopment, healthy, mature trees will be incorporated into landscaping plans to the greatest extent feasible.

G. Geology and Soils

- 1) Seismic hazards shall be mitigated by implementation of construction practices in accordance with Seismic Zone 4 building criteria as described in the Uniform Building Code. Site-specific geotechnical studies will be required for individual components of the site. Buildings will be designed and constructed in accordance with the recommendations contained in the geotechnical reports.

H. Cultural Resources

- 1) All subsurface excavation shall include archaeological monitoring. An archaeological monitoring program conducted by a qualified archaeologist shall be established to monitor all subsurface work. The monitoring program shall contain

provisions to catalog, curate, and report upon any materials recovered during monitoring. If human remains are discovered work shall be halted within 50 feet of the find and the Santa Clara county Coroner shall be noticed. If the remains are determined to be Native American, the Coroner shall notify the native, American Heritage Commission to determine the “Most Likely Descendant” (MLD). In consultation with the MLD, a plan for treatment and study of the remains and recommendation for completion of testing or other work shall be formulated and implemented. If the Director of Planning, Building and Code Enforcement finds that the archaeological find is not a significant resource, work shall resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted.

VI. WATER POLLUTION CONTROL PLAN NOTE

A. General

- 1) Pursuant to Part 2.75 of Chapter 15.12 of the San José Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager make a determination that the cumulative sewage treatment demand on the San José-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said plant will cause the total sewage treatment demand to meet or exceed the capacity of the San José-Santa Clara Water Pollution Control to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantial conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority.

Concerns with project File No PDC13-041

Nicki Johnson <nicolekoep@aol.com>

Fri 6/6/2014 6:20 AM

PDC13-041

To: Simvoulakis, Lea <lea.simvoulakis@sanjoseca.gov>;

Hi Lea,

First i will start of by introducing myself, My name is Nicole Johnson and I am the current President of the Sonora HOA at 1550 Technology Drive which is 315 condo units. I attended the community meeting that was held on Wednesday, June 4 at 7pm at Bacharadt elementary regarding the proposed change to the project in the open land across from us. I have a lot of concerns about the project.

First, I and our residents are happy to hear it will most likely be business versus a hotel, that cuts down on the 24 /7 noise. But, there are a lot of things that my residents are extremley concerned about which your colleague seemed to somewhat dismiss.

The biggeset issue is the traffic and adding at least 1k people going down the cul de sac of technology drive every day, along with however many more, say at least 200 from Kaiser at the end property when that is built. As of right now, the traffic is already horrible to get to our condos at the end of the street. I am sure you are aware that our only way to enter is by coming on 1st street and making a u turn to go down the alley way or using skyport down technology. We do NOT have an entrance to our building on Sonora Ave since Rosemary gardens fought during planning phase to axe that from what I hear. So my concern is there is absolutely no way our street can handle another 1200 people going down it. Why are you not considering another entrance on sonora ave?

When asked, I was told I should work with the president of rosemary gardens neighborhood. I felt that was a cop out and showed much favortism to a very rude and already hostile neighborhood. They already do not like us, and to tell me to work with him is outrageous. I knwo they were here first, but we have been here almost 10 years now and them being here first does not diminish our rights to not have to be stuck in traffic on our own street and take 30 or more minutes to get down to the end of the block to get inside out home. I thought the meeting was suppose to be to listen to all side and make compromises but I quickly found out who the favorite here and how my 700+ residents are not being evenly represented or thought of.

I got comments from rosemary gardens from "we will see about that" to "we have been here 60 years some of us deal with it" to "we were here first." Quite frannkly, I don't care who was here first or how long they have been here, we technically out nubmer them in units and residents and we should have an equal voice and equal opportunity to GET TO OUT HOMES. We have one way in and out because of them so now they should deal with some of the consequences. They could have let us have an entrance on that side but they didn't, so now they should deal with an extra entrance/exit on their side for the 1200 people.

My other concern is, the way the drawings are now, it looks like the entrance is way down in the cul de sac by our club house. One person moving in with a moving truck parks in front of our club house and there goes your entrance and causing major traffic concerns. Not to mentoin it will make it more difficult for my residents to get into our garage with it being directly across from our entrance. If you must keep it there, please move it down 20-30 feet more towds the

light to give our building a little break.

Also, we own those pavers in the cul de sac which I believe means we actually own the circle. I think the master association street ends where our pavers begin so from my understanding you are actually encroaching on our property by making an entrance there. The city does not own the street and we actually pay monthly dues to the master association to keep the entire street up. But the pavers are already sinking and that was one thing included in suing the builder and we had planned to redo it, I refuse to have our property pay to fix something if you will have your 1k tenants be using it, you should be offering to fix it then to be honest.

Also, it seems a little backwards to me that you would have the entrance to the property at the end and the exit be the one that exists now. If you think of traffic flow, people will be backed up inside of the property waiting for everyone to go by to go to the entrance down the way. Seems logical to me, and a lot of other residents I spoke with, the flip flop the entrance and exit to try to help some of the traffic flow. Then people can turn right and go around the back of the building taking a left and another left and then come out where your planned entrance is and not have to wait for as much traffic to go by, except for our residents trying to get into our building.

I was also concerned that when asked if a traffic study had been completed they said oh yes and it was fine it was in 1998. That was 16 years ago. I highly doubt that can be valid as doing a traffic study for this project when things have changed immensely even in the 9 years I have lived at the Sonora. We would like another traffic study of 1st street, skyport and technology drive completed before stating that the 1200+ more influx of daily traffic will not cause any issues to our surrounding streets. We already have major back ups during normal traffic hours. I am not sure how our tiny street that doesn't go through will handle anymore. We need to have a second entrance for your property on Sonora Ave.

My residents final concern is the increase to 150 feet. That is just beyond way too much for the area. We have a pool on that side and when out there yesterday evening, a few of us saw that having that height of a building will not only take away our privacy at our own pool but also a lot of the sun, not to mention sunset. We do not see any reason to have it any taller than the surrounding buildings such as atmel with is 8 stories. 10 is just pushing it. And we beg you please do not take out the enormous pine trees, those will alot us a little more privacy, although not much, and we would be extremely upset if those large trees were taken out. Those take 30 years to get that tall and that's what we need to obstruct the tenants from looking at our people in the pool area.

Thank You for listening to our concerns. I plan on being at the meeting on July 25. Or what is the exact date of the next meeting since the paperwork is obviously wrong, it says Wednesday, July 25. Wednesday is July 23 and July 25 is a Friday. Hoping it's not wednesday as I will be in Japan for work and not back until July 24.

Please feel free to contact me to discuss these issues and I truly hope that the planning commission will not dismiss my buildings concerns. We have equal rights in this matter and should have more since it directly affects us. The only way it affects Rosemary gardens at the moment is they will see a large building, otherwise no impact to them what so ever. The Sonora needs to be heard and we are planning on sending notices out to get as many people to go to the next meeting to voice these concerns and push the city to rethink the traffic issues and height issues.

Thank you,
Nicole Johnson
408-621-2951

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9/3/2014

Concerns with project File No PDC13-041 - Simvoulakis, Lea

message in error, please notify us immediately by reply email so that we may correct our internal records. Please then delete the original message (including any attachments) in its entirety. Thank you.

SKYPORT PLAZA
HOTEL/OFFICE SITE
SAN JOSE, CALIFORNIA
PLANNED DEVELOPMENT REZONING

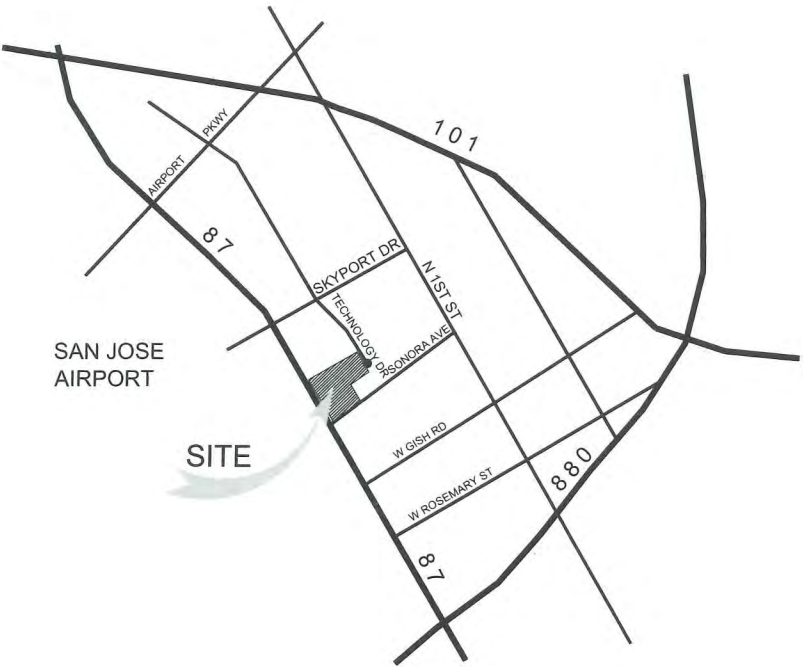
SEPTEMBER 26, 2013
NOVEMBER 25, 2013

REVISED JUNE 16, 2014

PRIOR DEVELOPMENT PERMITS:

PARCEL 1A, 1B, 2E, 2F: PDC 99-060; PD00-018, PD03-034; PD13-04;
PARCEL 2G: PDC 99-060; PDC 13-041
PARCEL 1C: PD08-030; PD08-062; PD 12-016
PARCEL 1D: PD01-118; PD02-017
PARCEL 2H: PDC 99-060; PD 00-068
APN'S: 230-29-117

VICINITY MAP



CONTACTS

CLIENT/OWNER
EQUITY OFFICE
1740 Technology Drive, Suite 150
San Jose, CA 95110
Phone: 408.441.0235
Contact: Eric Luhrs

ARCHITECT
KENNETH RODRIGUES & PARTNERS, INC.
445 N. Whisman Road, Suite 200
Mountain View, CA 94043
Phone: 650.965.0700
Fax: 650.960.0707
Contact: Kenneth Rodrigues ext. 13
Giselle Keshtgar ext. 20

CIVIL
KIER & WRIGHT
3350 Scott Blvd, Bldg. 22
Santa Clara, CA 95054
Phone: 408.727.6665
Fax: 408.727.5641
Contact: Barry Schmitt

LANDSCAPE
GUZZARDO PARTNERSHIP, INC.
181 Greenwich Street,
San Francisco, CA 94111
Phone: 415.433.4672
Fax: 415.433.5003
Contact: Gary Laymon ext. 16

SHEET INDEX

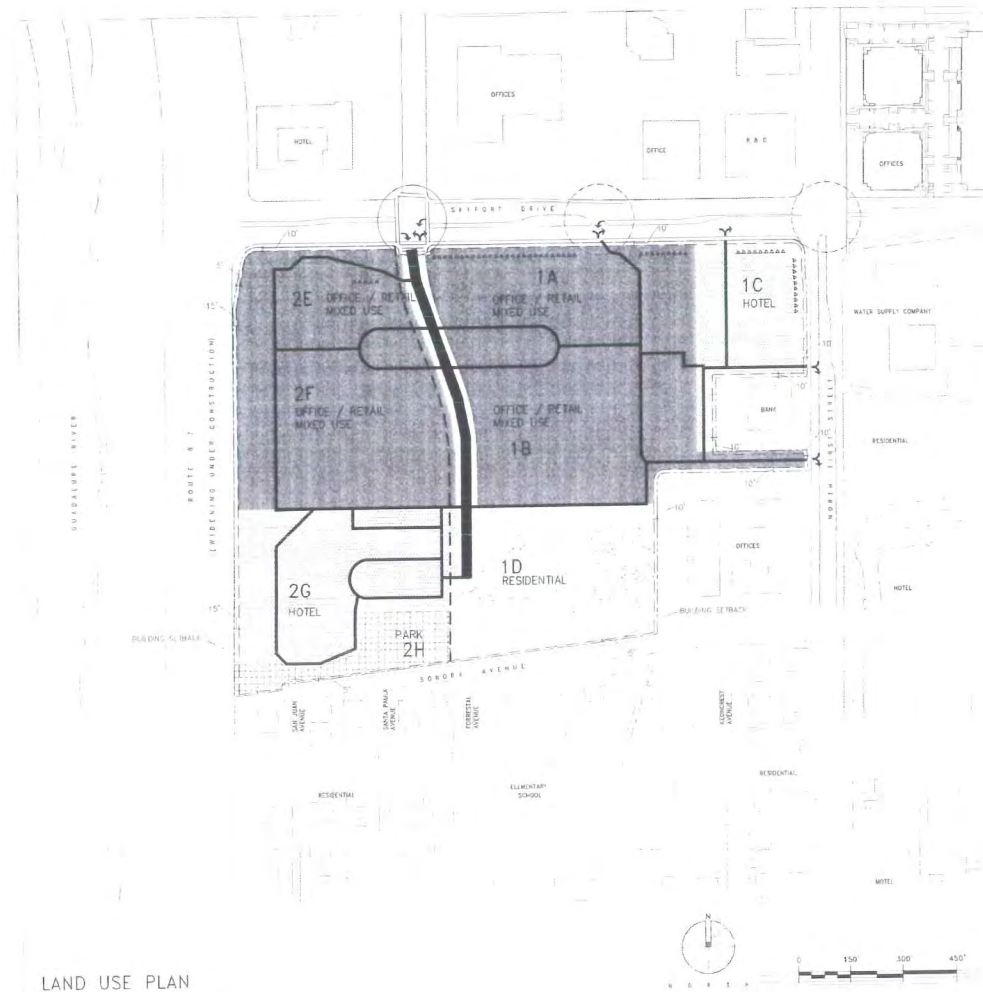
ARCHITECTURAL	
A 0	TITLE SHEET
A 1	APPROVED LAND USE PLAN
A 2	PROPOSED LAND USE PLAN - "EXHIBIT C"
A 3	DEVELOPMENT STANDARDS
A 3.1	DEVELOPMENT STANDARDS
1.1	AERIAL PHOTOGRAPH
1.2	CONCEPTUAL SITE PLAN
1.3	VACINITY MAP
1.4	EXISTING SITE & SURROUNDINGS
5.1	CONCEPTUAL EXTERIOR & GARAGE HEIGHT STUDY
5.2	CONCEPTUAL EXTERIOR
5.3	CONCEPTUAL EXTERIOR
5.4	EXTERIOR ELEVATIONS
5.5	ENLARGED ELEVATIONS & MATERIAL BOARD
CIVIL	
C1.0	PRELIMINARY GRADING PLAN
C2.0	STORMWATER MANAGEMENT PLAN
LANDSCAPING	
L6.1	CONCEPTUAL LANDSCAPE PLAN
L6.2	ENLARGEMENT PLAN A
L6.3	ENLARGEMENT PLAN B
L6.4	SITE SECTION
L6.5	SITE SECTION
L6.6	TREE DISPOSITION PLAN
L6.7	LANDSCAPE IMAGERY

PDC 13-041

Subarea	Approx. Area (acres)	Residential Program	Commercial/ Nonresidential Program			
		Units	Office (gsf)	Retail (gsf)	Hotel (rooms)	Athletic Club / Retail / Office Flex Space (gsf)
RESIDENTIAL/MIXED USE						
Parcel 1A-1D						
A	5.24		185,000	29,000		14,000
B	7.24		370,000			
C	2.98				300	
D	5.244	315				
Subtotal Parcel 1	20.704	315	555,000	29,000	300	14,000
Total Parcel 1	20.704					
Parcel 2E-2H						
E	3.61		185,000	3000		
F	7.21		370,000			
G	5.366				400	
H Public Park	1.30					
Subtotal Parcel 2	17.486		555,000	3000	400	
Total Parcel 2	17.486					
TOTAL (gross)	38.19	315	1,110,000	32,000	700	14,000

Notes:
All development subject to off-street parking standards set forth in the Development Standards.

APPROVED LAND USE PLAN



LAND USE PLAN

- OFFICE / RETAIL MIXED USE

HOTEL

RESIDENTIAL

PARK

PRIVATE STREET

SECONDARY VEHICULAR CIRCULATION

PEDESTRIAN CIRCULATION

FULL-MOVEMENT SIGNALIZED INTERSECTION

FULL-MOVEMENT NON-SIGNALIZED INTERSECTION

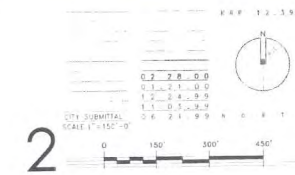
RIGHT IN / RIGHT OUT INTERSECTION

POSSIBLE LOCATION FOR STREET LEVEL RETAIL

General Development Plan --- Exhibit C



SPIEKER SKYPORT
AT SAN JOSE INTERNATIONAL AIRPORT
LAND USE PLAN
SAN JOSE, CALIFORNIA
SPIEKER PROPERTIES



SKYPORT PLAZA-HOTEL/OFFICE SITE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

APPROVED LAND USE PLAN



128.012

A1

09.26.13
11.25.13
06.16.14

Subarea	Approx. Area (acres)	Residential Program		Commercial/ Nonresidential Program		
		Units	Office (gsf)	Retail (gsf)	Hotel (rooms)	Athletic Club / Retail / Office Flex Space (gsf)
RESIDENTIAL/MIXED USE						
Parcel 1A-1D						
A	5.24		185,000	29,000		14,000
B	7.24		370,000			
C	2.98				300	
D	5.244	315				
Subtotal Parcel 1	20.704	315	555,000	29,000	300	14,000
Total Parcel 1						
20.704						
Parcel 2E-2H						
E	3.0		185,000	3000		
F	6.21		370,000			
G OFFICE/HOTEL	5.29		350,000		400	
H Public Park	1.30					
Subtotal Parcel 2	15.8		555,000 + 350,000 = 905,000	3000	400	
Total Parcel 2						
15.8						
TOTAL (gross)	36.504	315	1,110 000 + 350,000 = 1,460,000	32,000	700	14,000

Notes:
All development subject to off-street parking standards set forth in the Development Standards.

PROPOSED LAND USE PLAN

- OFFICE / HOTEL

OFFICE / RETAIL MIXED USE

HOTEL

RESIDENTIAL

PARK
- FULL-MOVEMENT SIGNALIZED INTERSECTION

FULL-MOVEMENT NON-SIGNALIZED INTERSECTION

RIGHT IN / RIGHT OUT INTERSECTION

POSSIBLE LOCATION FOR STREET LEVEL RETAIL



SKYPORT PLAZA-HOTEL/OFFICE SITE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

PROPOSED LAND USE PLAN
EXHIBIT "C"

THIS PAGE TO BE COMPLETED
BY ADDING CONDITIONS OF APPROVAL
AFTER THE PLANNING COMMISSION AND
CITY COUNCIL HEARING

Page 1

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SKYPORT PLAZA-HOTEL/OFFICE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

DEVELOPMENT STANDARDS

A3

KRP PROJECT NO. 128.012
06/16/14

Page 11	Page 12	Page 13

THIS PAGE TO BE COMPLETED
BY ADDING CONDITIONS OF APPROVAL
AFTER THE PLANNING COMMISSION AND
CITY COUNCIL HEARING

SKYPORT PLAZA-HOTEL/OFFICE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

DEVELOPMENT STANDARDS

A3.1

KRP PROJECT NO. 128.012
06/16/14



SKYPORT PLAZA-HOTEL/OFFICE SITE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

AERIAL PHOTOGRAPH



1.1

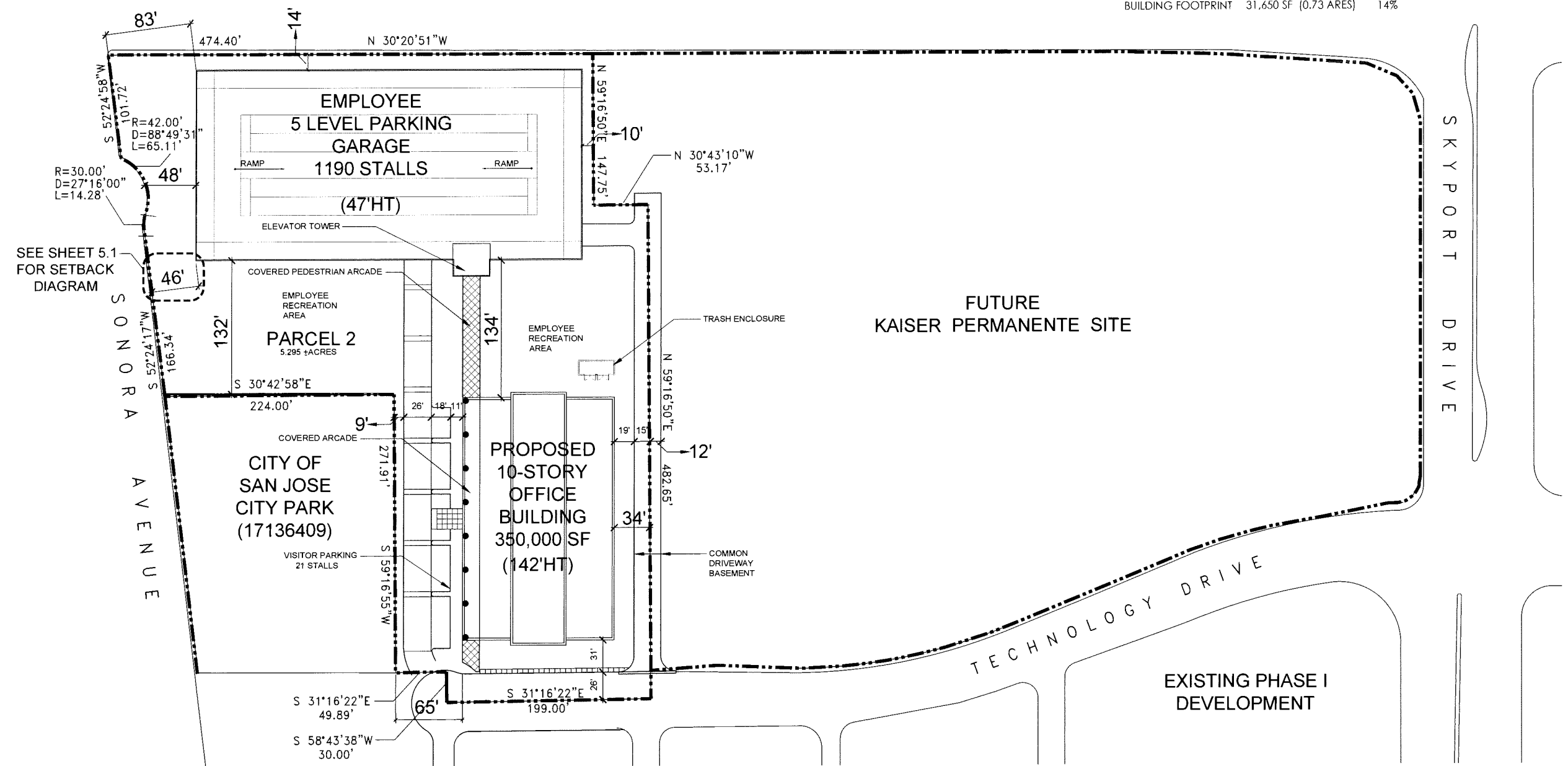


09.26.13
11.25.13
06.16.14

H I G H W A Y 87

TABULATION

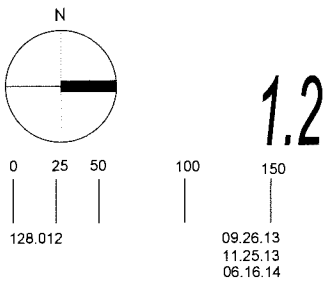
SITE AREA	230,650 SF (5.29 ACRES)	
BUILDING AREA	350,000 SF (8.03 ACRES)	
COVERED (FAR)	1.51	
PARKING	1,211 STALL	
VISITOR	21	
EMPLOYEE	1190	
RATIO	3.5	
LANDSCAPE AREA	106,213 SF (2.3 ACRES)	46%
PAVEMENT AREA	92,786 SF (2.13 ACRES)	40%
BUILDING FOOTPRINT	31,650 SF (0.73 ACRES)	14%

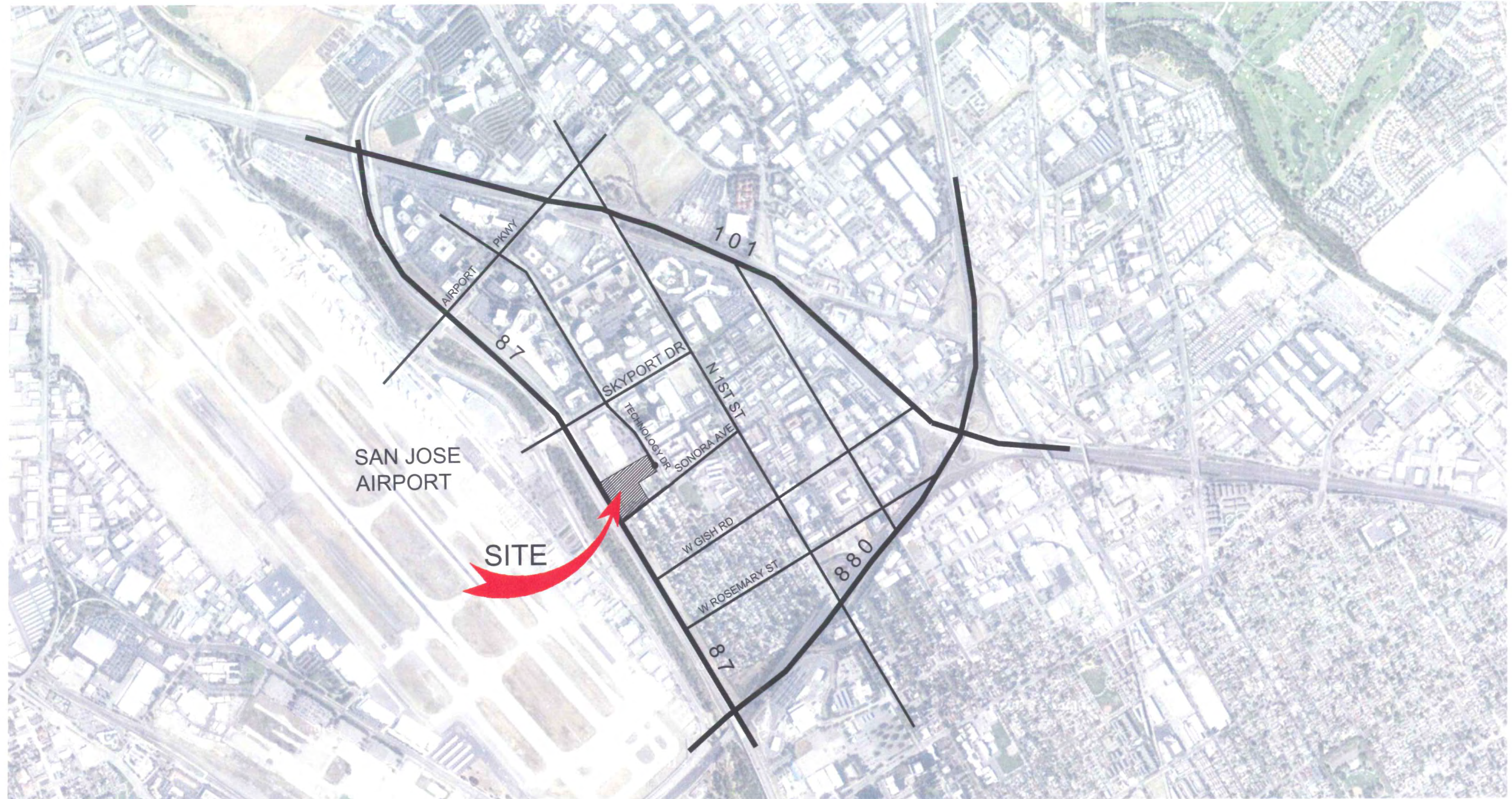


SKYPORT PLAZA-HOTEL/OFFICE SITE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

CONCEPTUAL SITE PLAN





SKYPORT PLAZA-HOTEL/OFFICE SITE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

1.3
VACINITY MAP
128.012 09.26.13
11.25.13
06.16.14



VIEW FROM SITE TO HIGHWAY 87 (WEST VIEW)



VIEW FROM PUBLIC PARK TO SITE (NORTH VIEW)



VIEW TO PUBLIC PARK (SOUTH VIEW)



VIEW TO OFFICE COMPLEX (NORTH VIEW)



VIEW TO MULTI-RESIDENTIAL COMPLEX (EAST VIEW)



VIEW TO RESIDENTIAL AREA (SOUTH VIEW)

SKYPORT PLAZA-HOTEL/OFFICE SITE

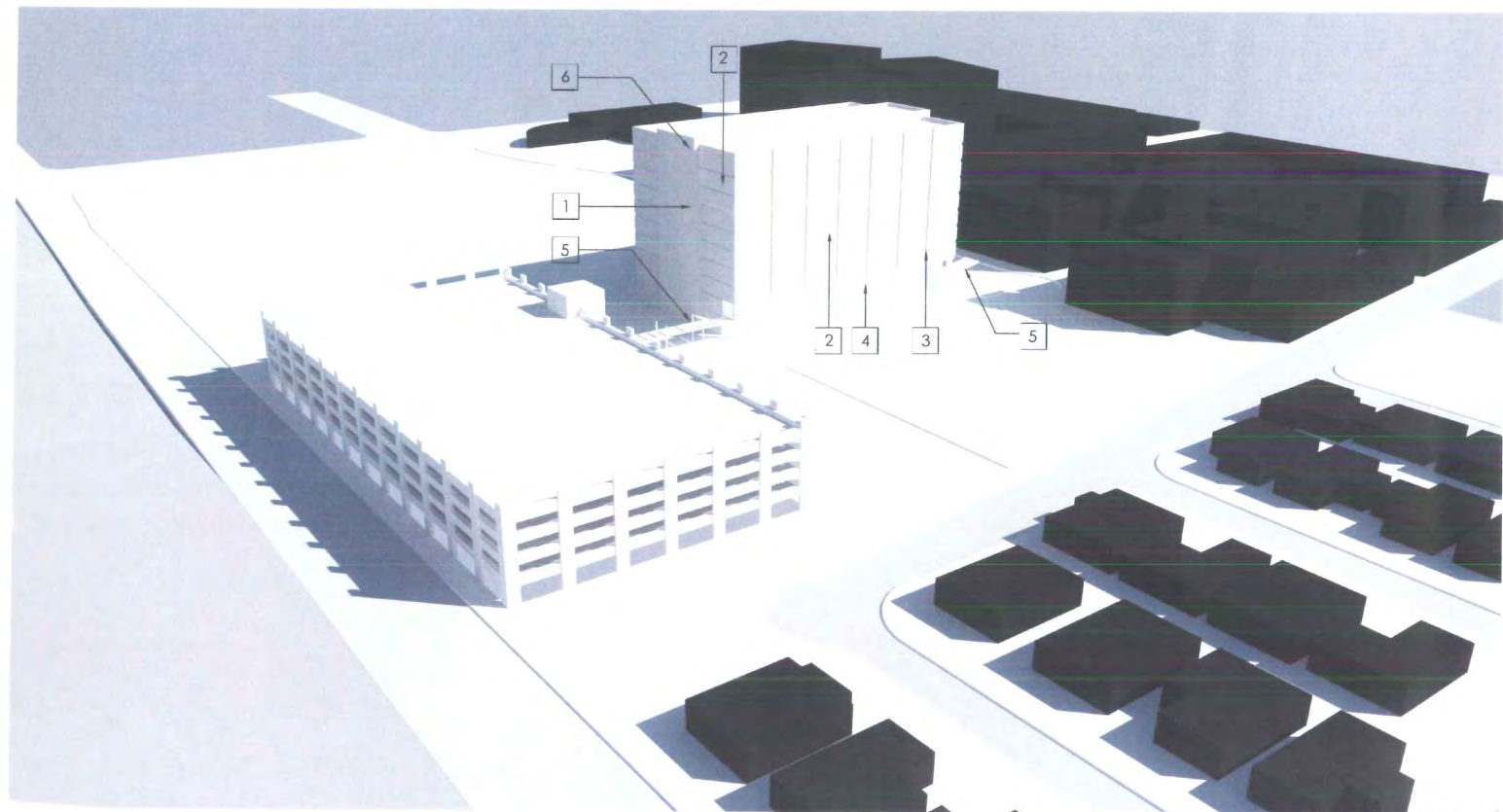
SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

EXISTING SITE & SURROUNDINGS

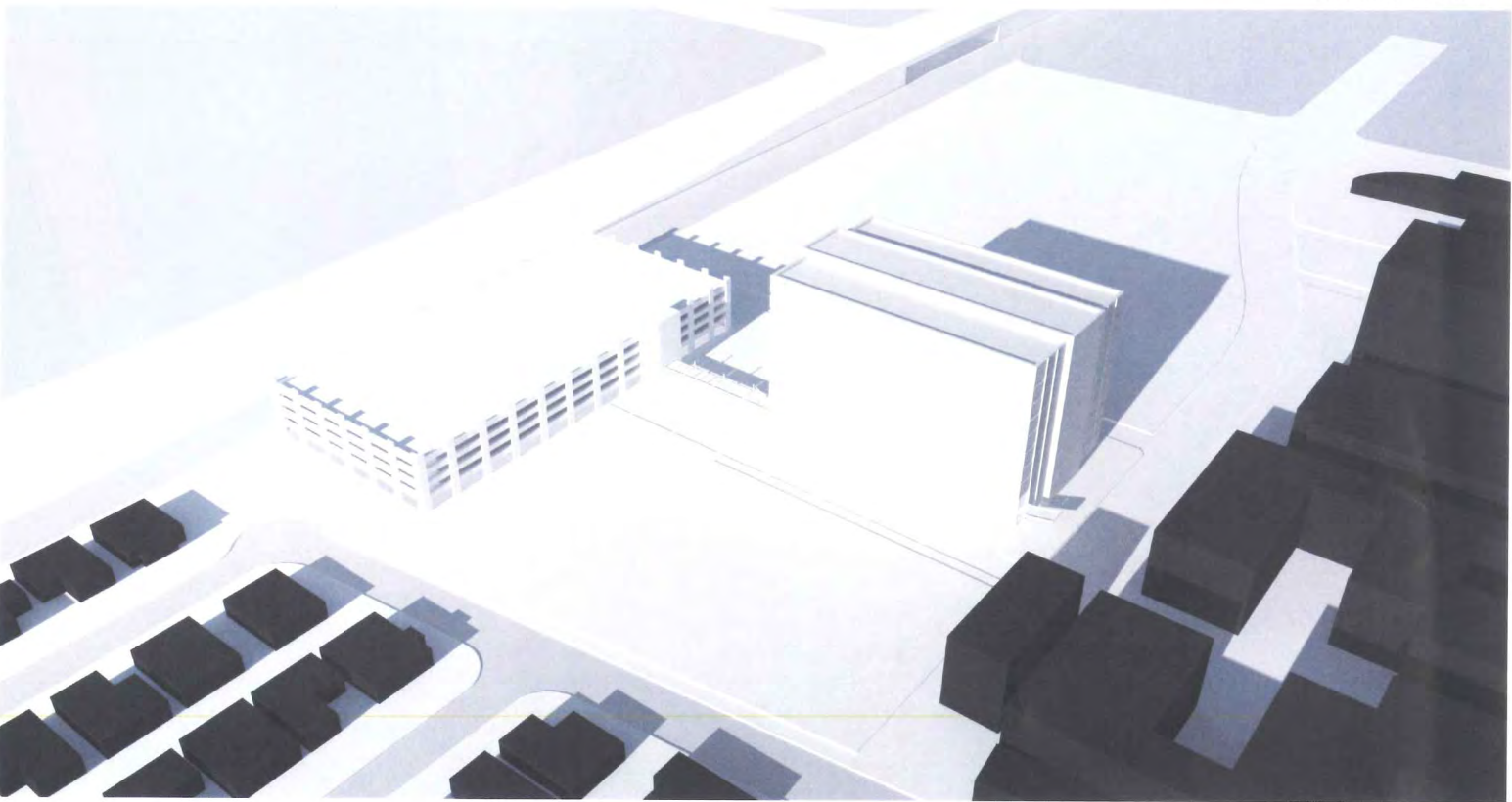
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128.012

09.26.13
11.25.13
06.16.14



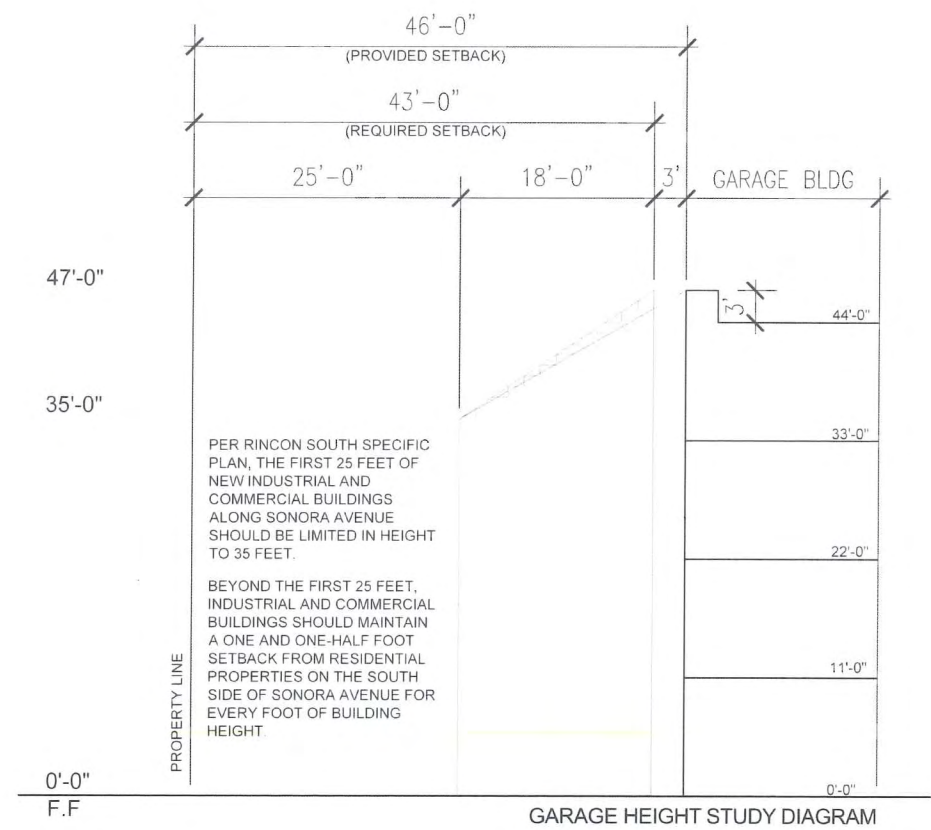
VIEW FROM SOUTH



VIEW FROM SOUTHEAST

KEYNOTES:

- 1 CLEAR GLASS SET IN ALUM FRAMES
- 2 TINTED GLASS SET IN ALUM. FRAMES W/ VERTICAL BUTT JOINT
- 3 ALUMINUM FIN
- 4 METAL COLUMN COVER
- 5 STEEL AND GLASS CANOPY
- 6 METAL PANEL

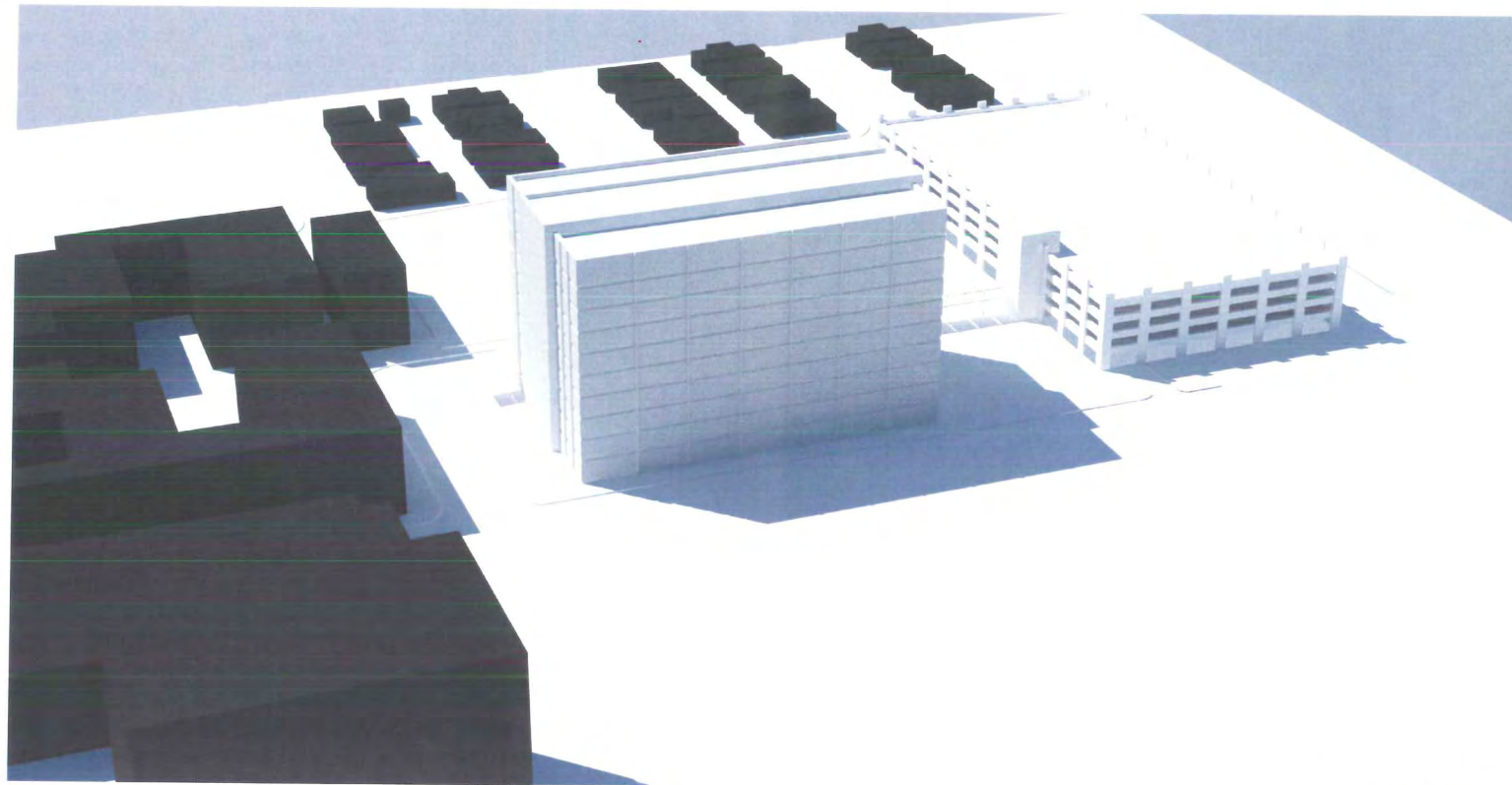


SKYPORT PLAZA-HOTEL/OFFICE SITE CONCEPTUAL EXTERIOR & GARAGE HEIGHT STUDY 5.1

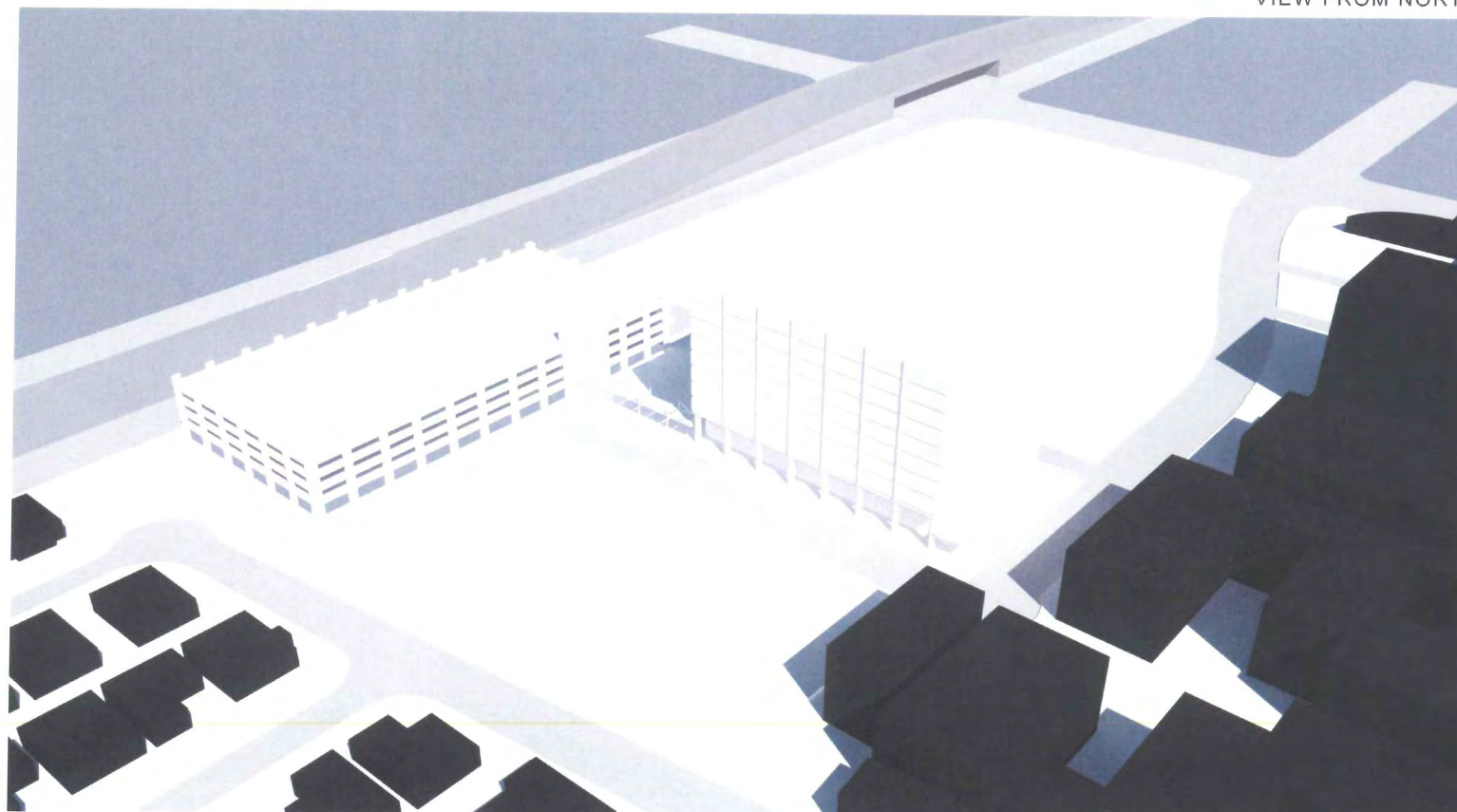
SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

09.26.13
11.25.13
06.16.14

PROJECT NO. 128.012



VIEW FROM NORTH



VIEW FROM SOUTHEAST

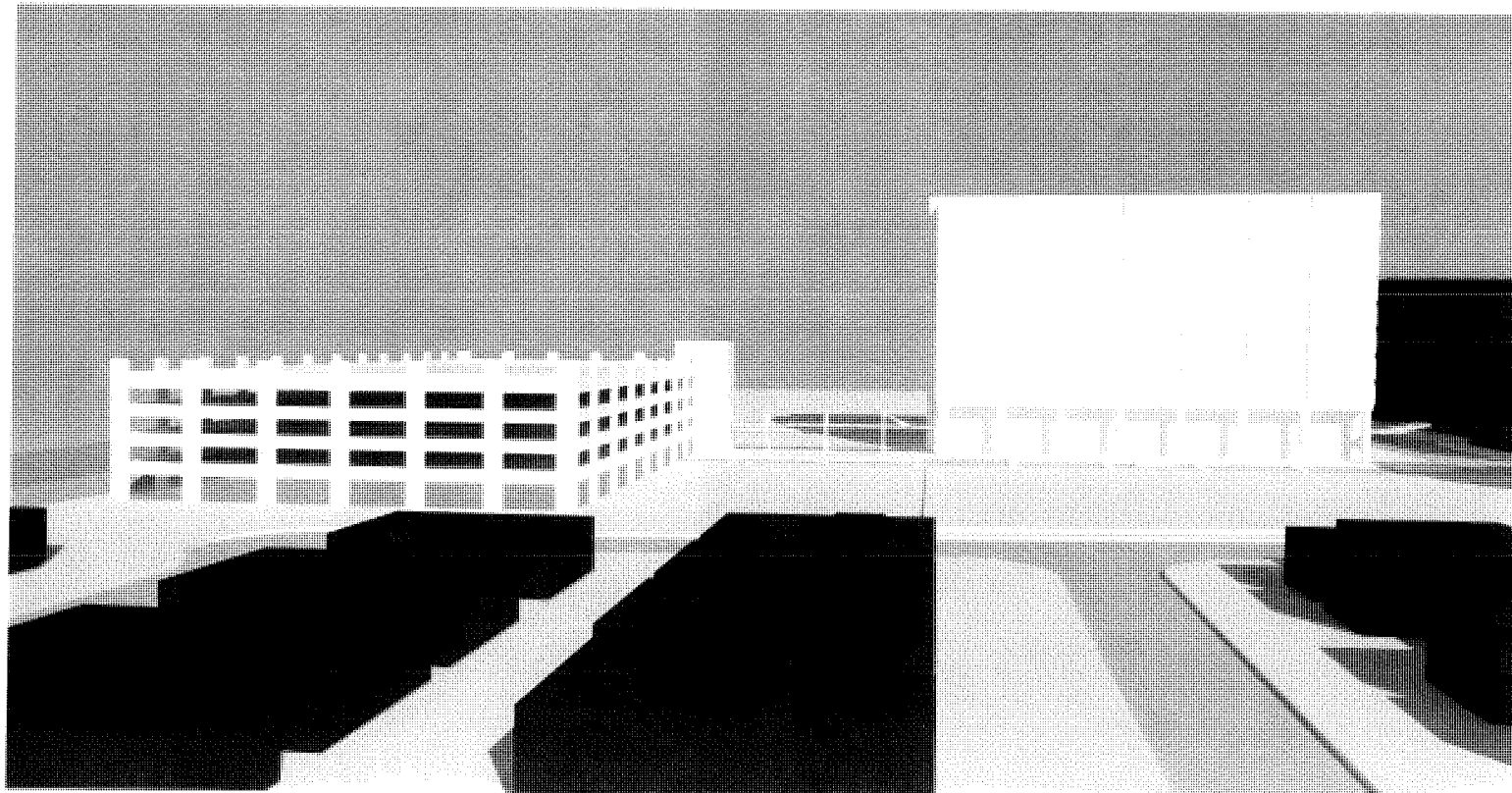
SKYPORT PLAZA-HOTEL/OFFICE SITE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

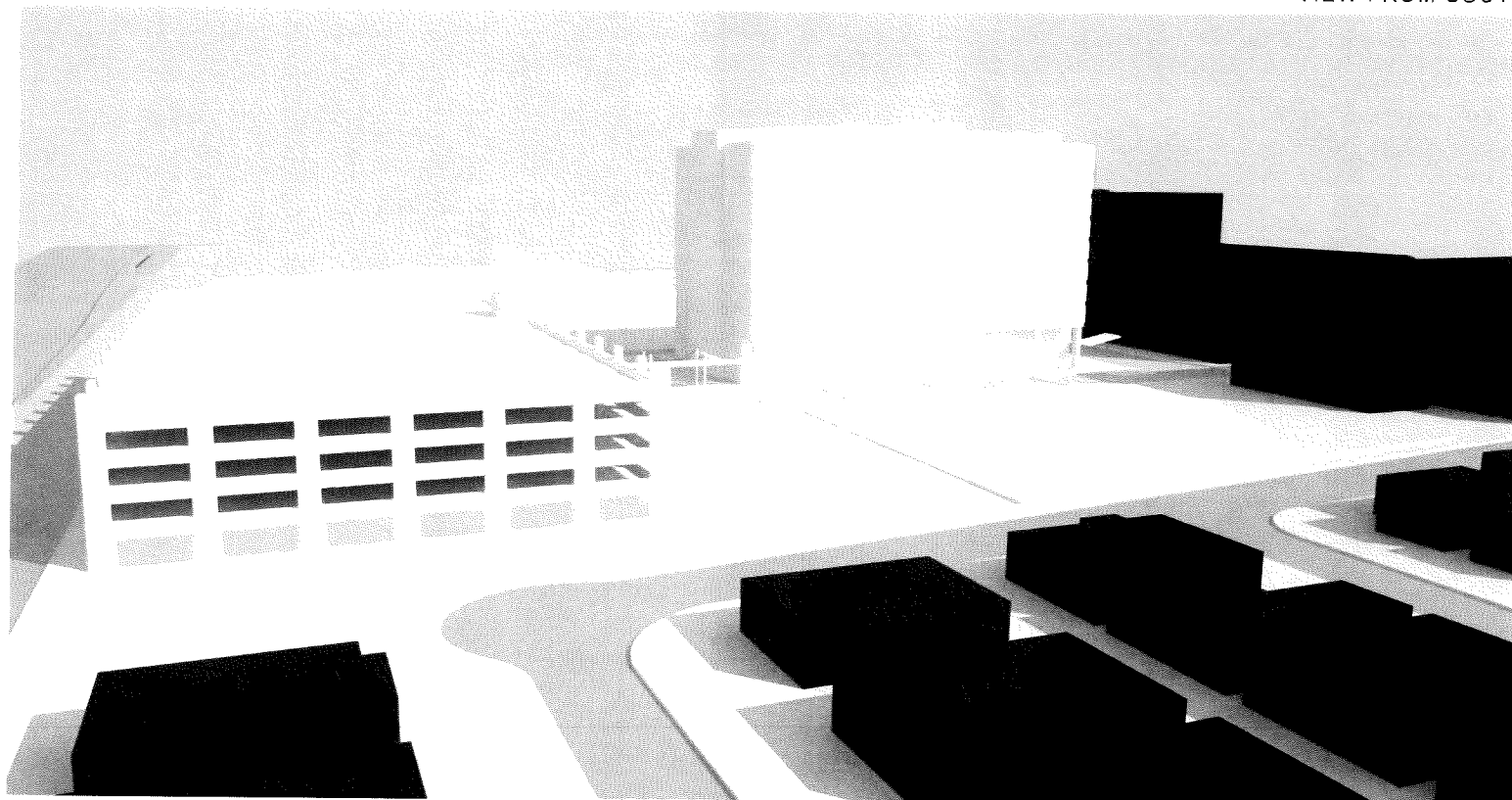
5.2

CONCEPTUAL EXTERIOR

PROJECT NO. 128.012 09.26.13
11.25.13
06.16.14



VIEW FROM SOUTH



VIEW FROM SOUTHWEST

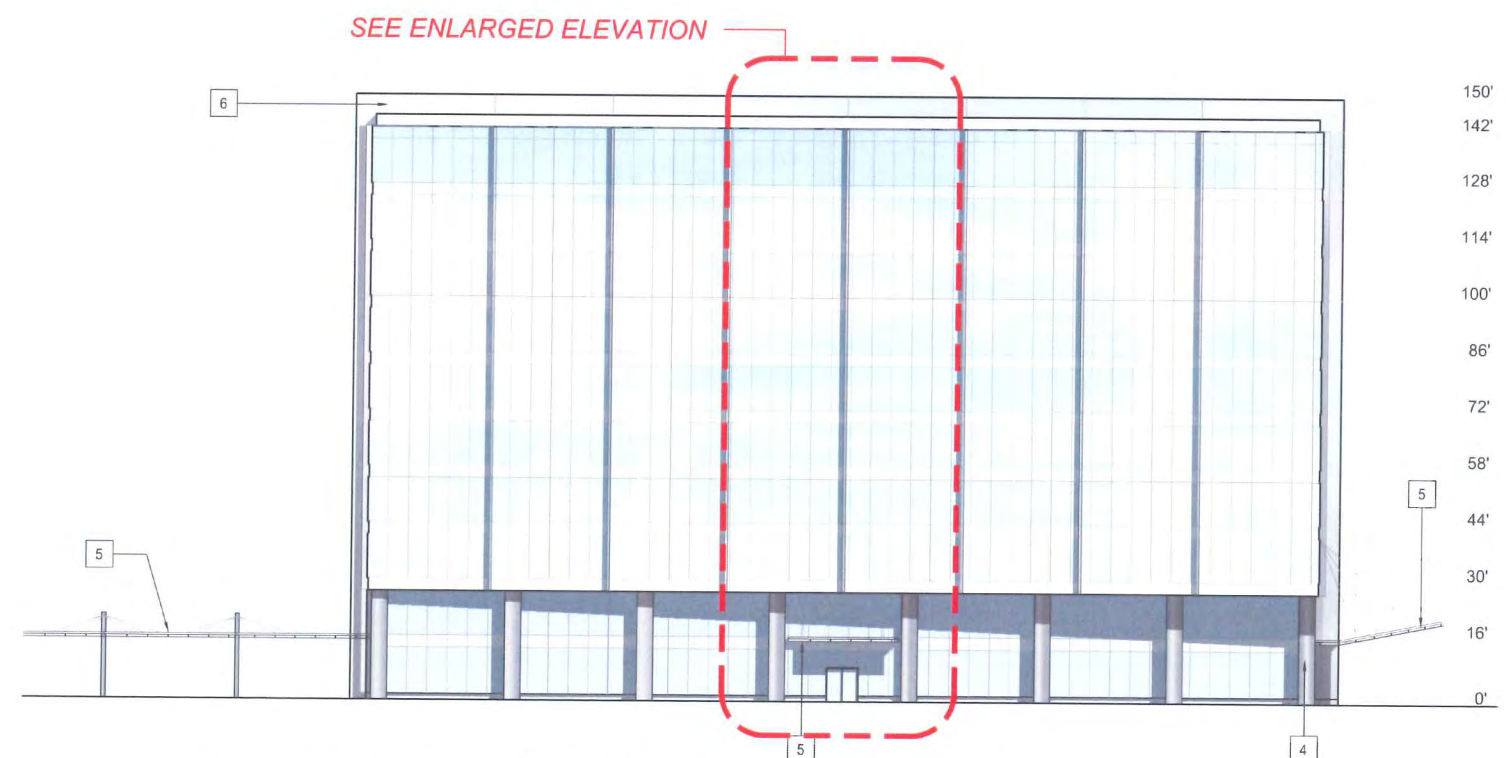
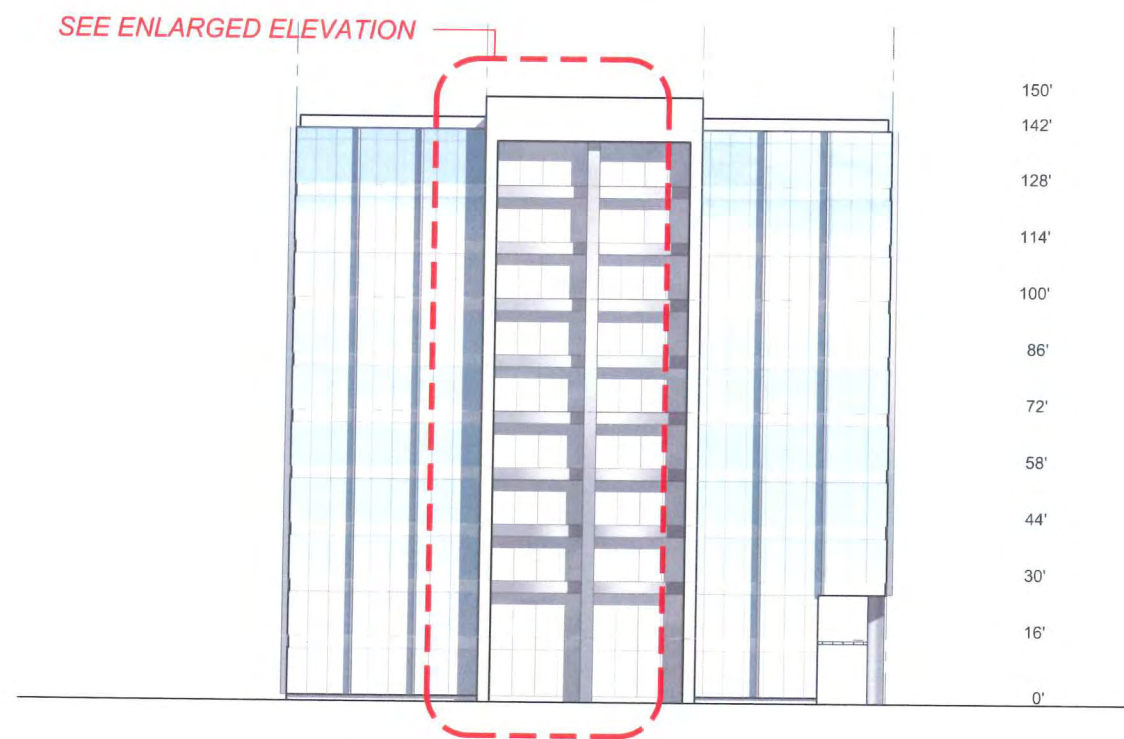
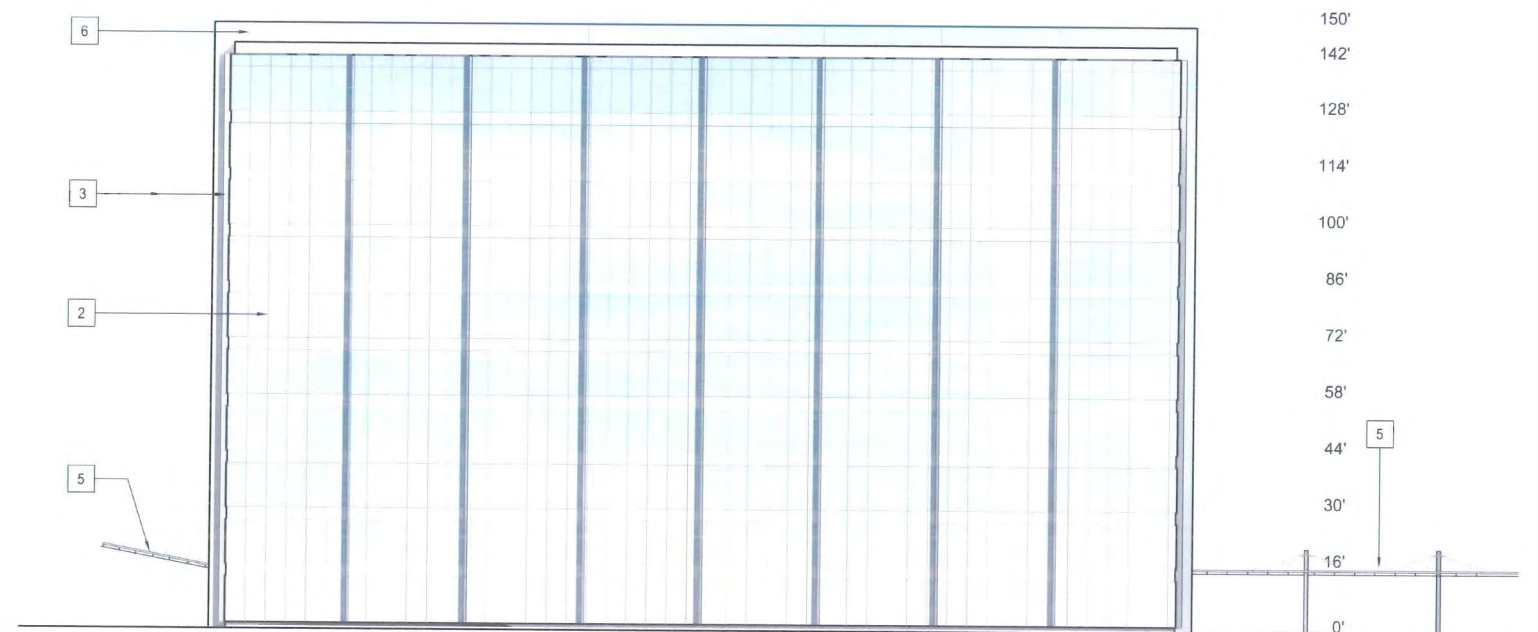
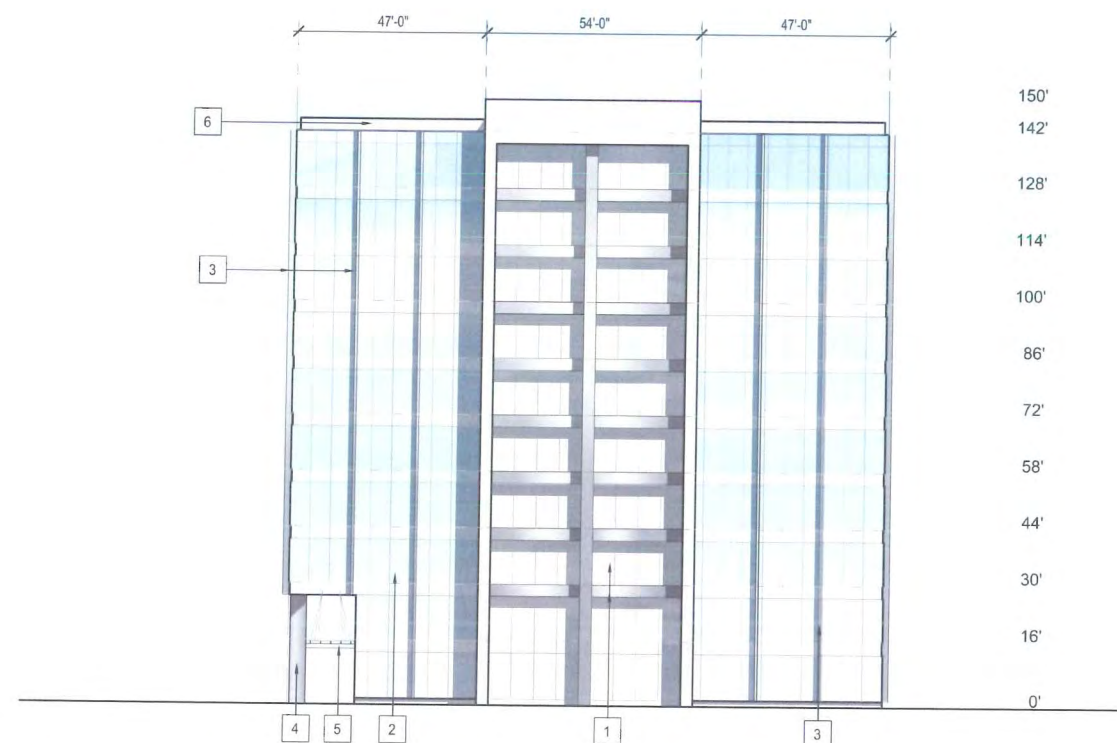
SKYPORT PLAZA-HOTEL/OFFICE SITE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

5.3

CONCEPTUAL EXTERIOR

PROJECT NO. 128.012 09.26.13
11.25.13
06.16.14



SKYPORT PLAZA-HOTEL/OFFICE

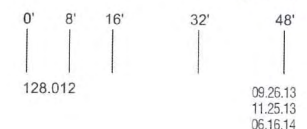
SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

KEYNOTES:

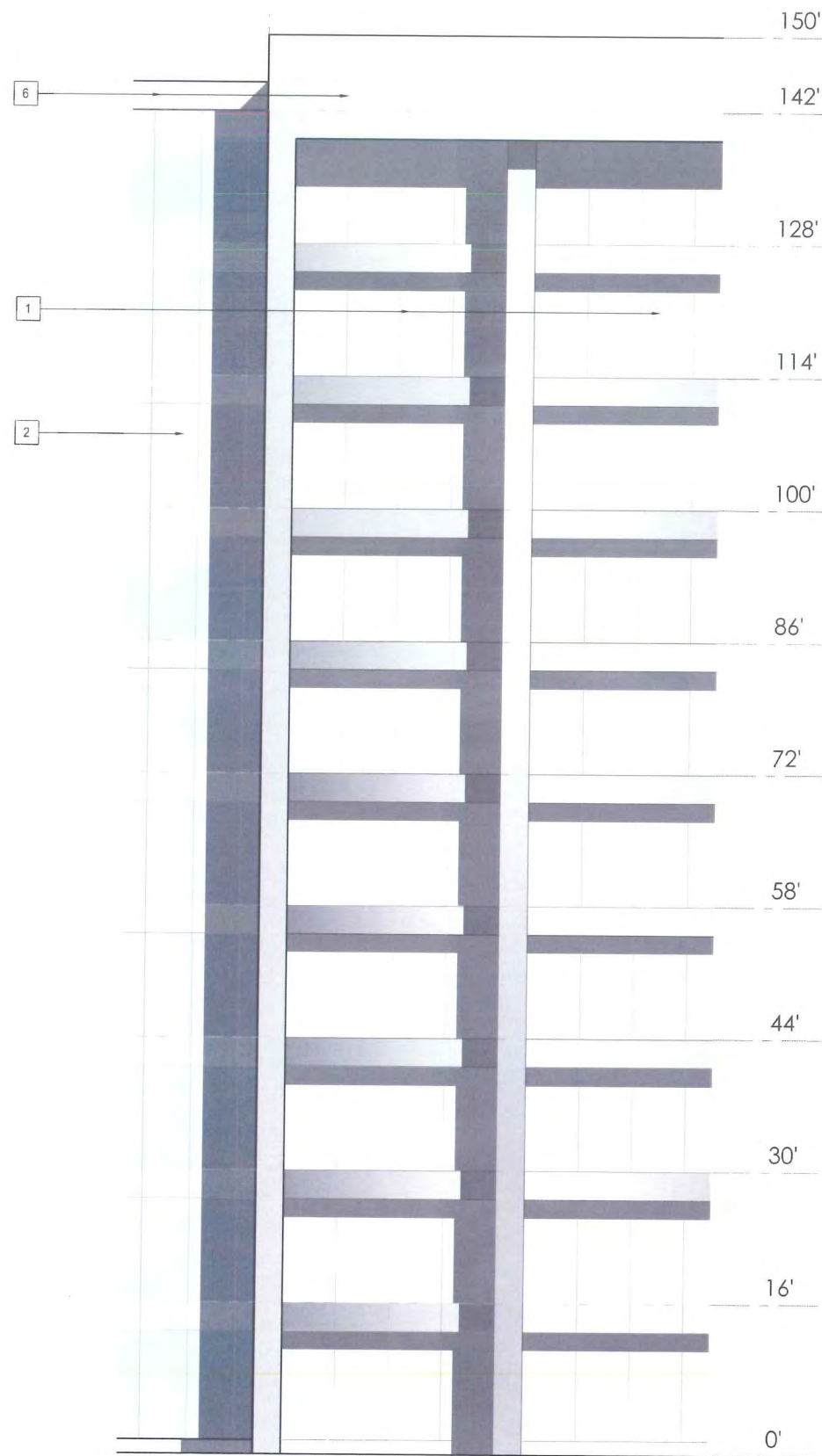
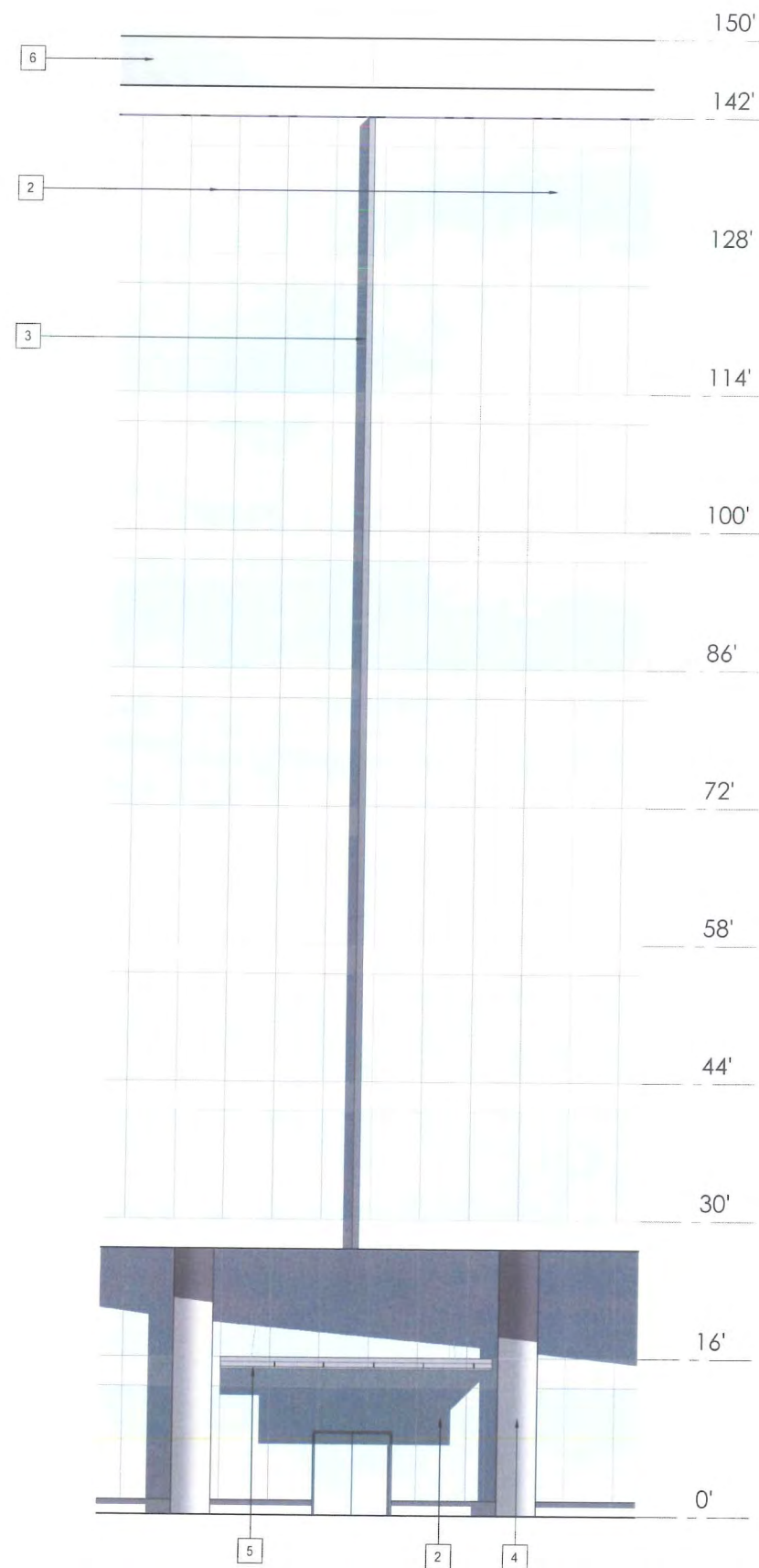
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- 2 TINTED GLASS SET IN ALUM. FRAMES W/ VERTICAL BUTT JOINT
- 3 ALUMINUM FIN

- 4 METAL COLUMN COVER
- 5 STEEL AND GLASS CANOPY
- 6 METAL PANEL

CONCEPTUAL EXTERIOR ELEVATIONS

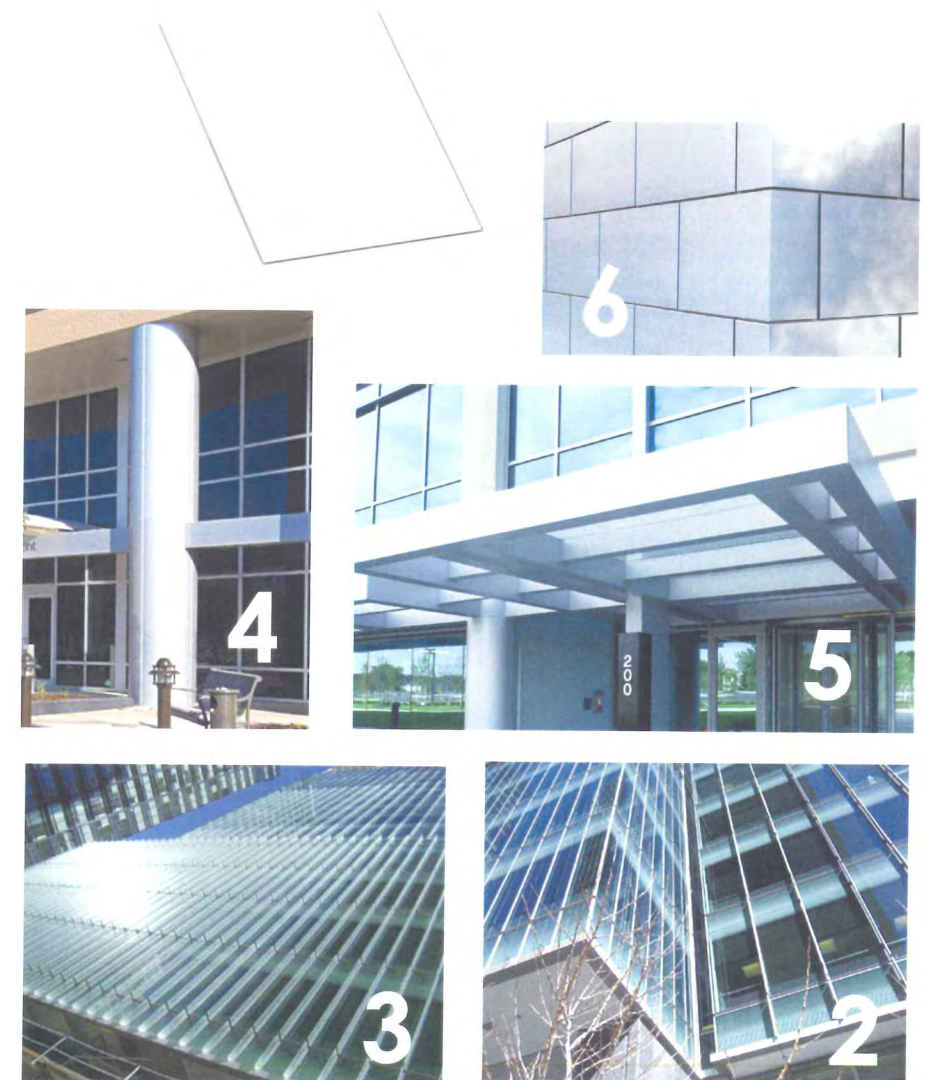


5.4



KEYNOTES:

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- 6 METAL PANEL

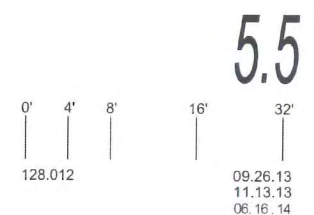


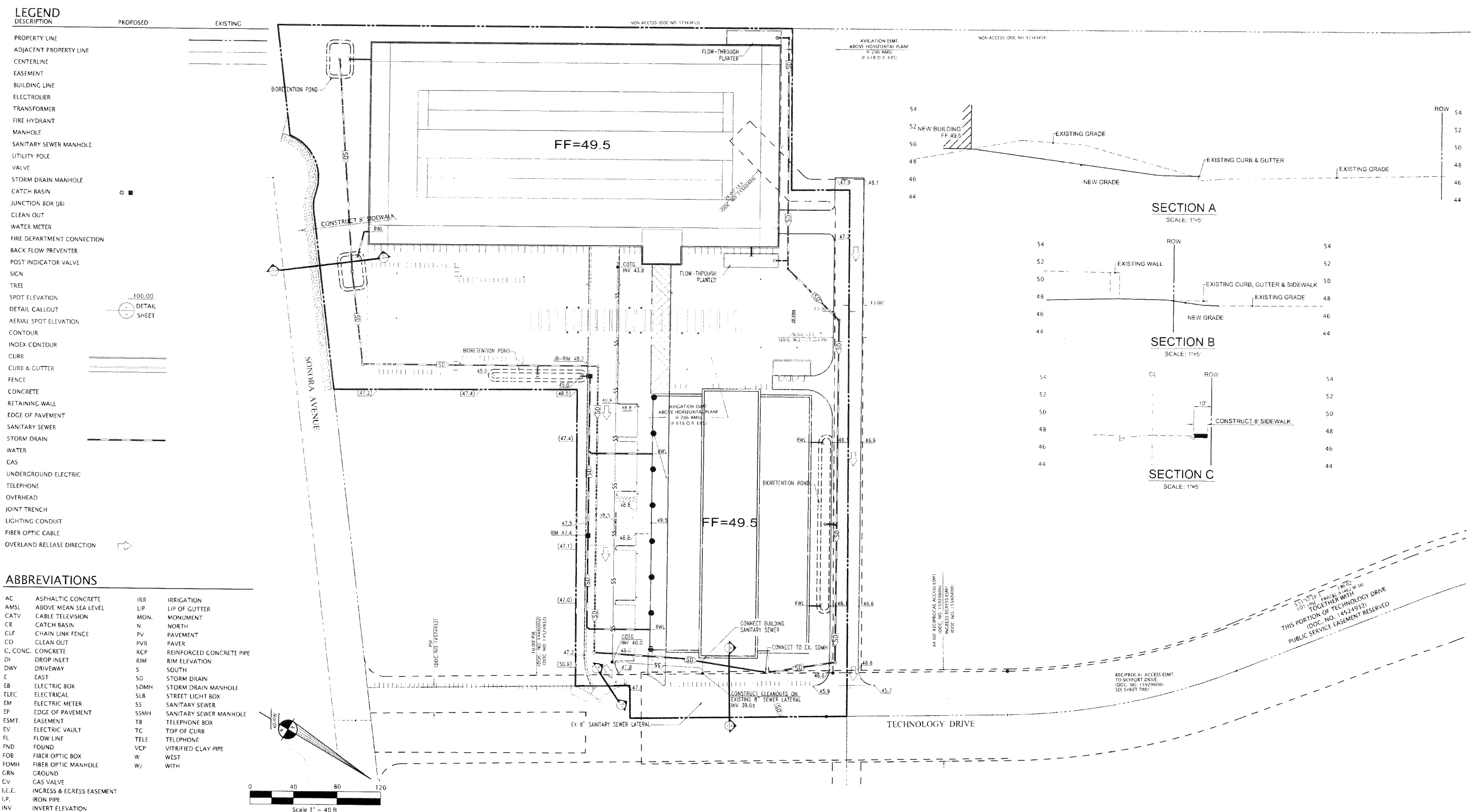
SKYPORT PLAZA-HOTEL/OFFICE

SAN JOSE, CALIFORNIA
EQUITY OFFICE

KENNETH RODRIGUES & PARTNERS, INC.

CONCEPTUAL ENLARGED ELEVATIONS & MATERIAL BOARD





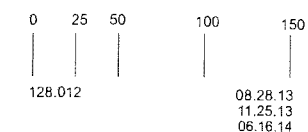
SKYPORT PLAZA-HOTEL/OFFICE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3350 Scott Boulevard, Building 22
Santa Clara, California 95054
(408) 727 6665
fax (408) 727 5641

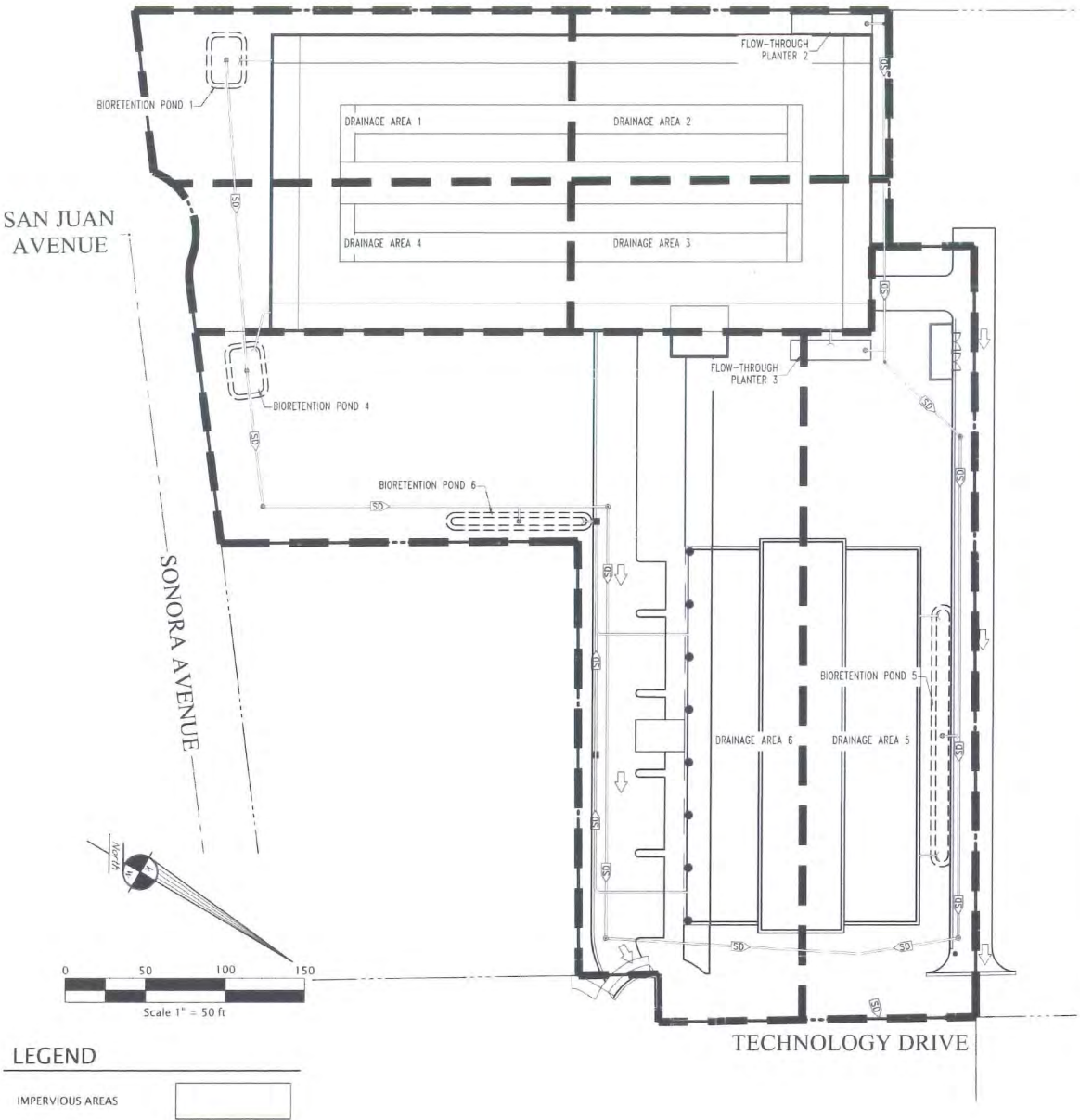
PRELIMINARY GRADING PLAN

C1.0



BIORETENTION MAINTENANCE

INSPECTION AND MAINTENANCE ACTIVITIES	SUGGESTED FREQUENCY
<ul style="list-style-type: none">ROUTINE INSPECTION FOR MOSQUITOES, OTHER VECTORS AND AGGRESSIVE PLANT SPECIES (CATTAILS). REMOVE AS NEEDED.PRUNE AND WEED AS NEEDED.INSPECT FOR SEDIMENT AND DEBRIS ESPECIALLY AT INFLOW POINT. SEDIMENT AND DEBRIS SHALL BE REMOVED.	MONTHLY
<ul style="list-style-type: none">INSPECT TREES AND SHRUBS FOR ANY DISEASED OR DEAD VEGETATION. THESE SHALL BE REMOVED AND DISEASED VEGETATION SHALL BE TREATED TO THE EXTENT POSSIBLE.	SEMI-ANNUAL
<ul style="list-style-type: none">REPLACE ALL MULCH.	2-3 YEARS



STORMWATER TREATMENT SUMMARY TABLE

AREA	TREATMENT DEVICE	DRAINAGE AREA (sf)	IMPERVIOUS AREA (sf)	PERVIOUS AREA (sf)	BIORETENTION SIZING METHOD	SIZE OF TREATMENT AREA PROVIDED (sf)
AREA 1	BIORETENTION POND 1	28,355	17,580	10,775	* 4%	703
AREA 2	FLOW-THRU PLANTER 2	21,400	17,580	3,820	* 4%	703
AREA 3	FLOW-THRU PLANTER 3	17,950	17,580	370	* 4%	703
AREA 4	BIORETENTION POND 4	22,130	17,580	4,550	* 4%	703
AREA 5	BIORETENTION POND 5	46,460	29,330	17,130	* 4%	1,173
AREA 6	BIORETENTION POND 6	87,050	39,640	47,410	* 4%	1,586

*Treatment method is Bioretention (either pond or flow-through planter) - 4% rule sizing method

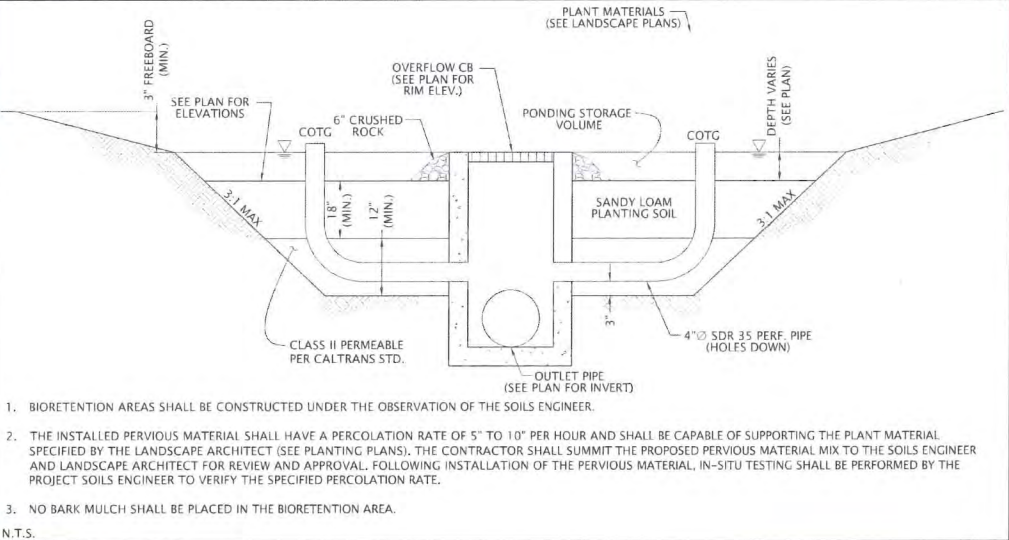
PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

Project Phase Number (N/A, 1, 2, 3, etc.)		N/A	
Total Site (acres)	5.295	Total Area of Site Disturbed (acres)	5.295
Impervious Surfaces	Existing Condition of Site Area Disturbed	Proposed Condition of Site Area Disturbed (square feet)	
		Replaced	New
Roof Area(s)	0	0	106,534
Parking	85,038	25,557	0
Sidewalks, Patios, Paths, etc	0	0	7,120
Streets (Public)	0	0	0
Streets (Private)	0	0	0
Total Impervious Surfaces	85,038	25,557	113,654
Pervious Surfaces			
Landscaped Areas	145,612	91,439	0
Pervious Paving	0	0	0
Other Pervious Surfaces (green roof, etc.)	0	0	0
Total Pervious Surfaces:	145,612	91,439	0
Total Proposed Replaced + New Impervious Surfaces:		139,211	
Total Proposed Replaced + New Pervious Surfaces:		91,439	

BIO-TREATMENT BASIN MAINTENANCE PLAN

1. OBJECTIVES: THE MAINTENANCE OBJECTIVES FOR BIO-TREATMENT BASIN SYSTEMS INCLUDE KEEPING UP THE HYDRAULIC AND REMOVAL EFFICIENCY OF THE BASIN AND MAINTAINING A DENSE, HEALTHY GRASS (OR PLANT) COVER.
2. INSPECTION SCHEDULE
- 2.1 VISUAL INSPECTIONS SHALL BE CONDUCTED MONTHLY, PARTICULARLY AFTER HEAVY RUNOFF, TO ENSURE NORMAL FUNCTIONING OF BIO-TREATMENT BASIN.
- 2.2 DETAILED INSPECTIONS SHALL BE CONDUCTED AT LEAST TWICE ANNUALLY WITH INSPECTIONS OCCURRING (1) AT THE END OF THE WET SEASON TO SCHEDULE SUMMER MAINTENANCE, (2) BEFORE MAJOR FALL RUNOFF IN PREPARATION FOR WINTER, AND (3) AFTER PERIODS OF HEAVY RUNOFF. THE OBJECTIVE OF DETAILED INSPECTIONS IS TO IDENTIFY EROSION, DAMAGE TO VEGETATION, GRASS OR PLANT HEIGHT, DEBRIS, LITTER, AREAS OF SEDIMENT ACCUMULATION, AND POOLS OF STANDING WATER. IF ANY ISSUES EXIST, ACTIVITIES AS OUTLINED IN SECTION 3, MAINTENANCE ACTIVITIES WILL BE CONDUCTED.
3. MAINTENANCE ACTIVITIES
- 3.1 ROUTINE OR PREVENTATIVE MAINTENANCE REFERS TO PROCEDURES THAT ARE PERFORMED ON A REGULAR BASIS TO KEEP THE BIO-TREATMENT BASIN AESTHETIC AND IN PROPER WORKING ORDER. ROUTINE MAINTENANCE INCLUDES DEBRIS REMOVAL, SILT AND SEDIMENT REMOVAL, AND CLEARING OF VEGETATION AROUND FLOW CONTROL DEVICES TO PREVENT CLOGGING. ROUTINE MAINTENANCE ALSO INCLUDES THE MAINTENANCE OF A HEALTHY VEGETATIVE COVER. DEAD TURF OR OTHER UNHEALTHY VEGETATIVE AREAS WILL NEED TO BE REPLACED AFTER BEING DISCOVERED.
- 3.1.1 EROSION: AREAS OF EROSION AND SLOPE FAILURE SHALL BE REPAIRED AND REPLANTED AS SOON AS POSSIBLE. ERODED AREAS NEAR THE INLET OR OUTLET MAY ALSO NEED TO BE LINED WITH RIPRAP, WHICH WILL BE DETERMINED ON A CASE BY CASE BASIS.
- 3.1.2 DAMAGE TO VEGETATION: IF THE BASIN DEVELOPS RUTS OR HOLES, IT SHALL BE REPAIRED UTILIZING A SUITABLE SOIL THAT IS PROPERLY TAMPED AND SEEDED. THE GRASS OR PLANT COVER SHOULD BE THICK. IF IT IS NOT, IT SHALL BE REPLANTED WITH IN-KIND PLANTS, AS NECESSARY. IF POSSIBLE, FLOW WILL BE REDIRECTED UNTIL NEW PLANTINGS ARE FIRMLY ESTABLISHED TO AVOID DETEIORATION. IF INVASIVE SPECIES AND/OR WEEDS DEVELOP, PROMPTLY REMOVE TO AVOID DISRUPTION TO ORIGINAL VEGETATION.
- 3.1.3 GRASS OR PLANT HEIGHT: MOW OR PRUNE AS REQUIRED BY PLANT VARIETY TO MAINTAIN AT LEAST A 4-6" GRASS HEIGHT, DENSE PLANT GROWTH AND/OR TO SUPPRESS WEEDS AND WOODY VEGETATION. LITTER MUST BE REMOVED PRIOR TO MOWING. MAINTAIN AS INDICATED BY SPECIES TO PROMOTE GROWTH AND POLLUTANT UPTAKE. REMOVE CUTTINGS AND DISPOSE (COMPOST).
- 3.1.4 DEBRIS / LITTER: REMOVE ALL LITTER OR DEBRIS WITHIN BIO-TREATMENT BASIN AND PRIOR TO MOWING AND AS INSPECTIONS WARRANT. KEEP BIO-TREATMENT BASIN FREE OF DEBRIS.
- 3.1.5 AREAS OF SEDIMENT ACCUMULATION: REMOVE SEDIMENT BY HAND WITH A FLAT-BOTTOMED SHOVEL WHENEVER SEDIMENT COVERS VEGETATION OR BEGINS TO REDUCE BIO-TREATMENT BASIN CAPACITY. IF APPLICABLE MAINTAIN CLEAN CURB CUTS TO AVOID SOIL AND VEGETATION BUILDUP. SEDIMENT ACCUMULATING NEAR CULVERTS AND IN BASINS SHOULD BE REMOVED WHEN IT BUILDS UP TO 75 MM (3 IN.) AT ANY SPOT, OR COVERS VEGETATION. REMOVE ANY DEBRIS IN UNDER DRAINS THAT COULD CAUSE CLOGGING.
- 3.1.6 POOLS AND STANDING WATER: OBSERVE SOIL AT THE BOTTOM OF THE BIO-TREATMENT BASIN FOR UNIFORM PERCOLATION THROUGHOUT. IF PORTIONS OF THE BIO-TREATMENT BASIN DO NOT DRAIN WITHIN 5 DAYS AFTER THE END OF A STORM, THE SOIL SHALL BE TILLED AND REPLANTED WITH PLANTS SIMILAR TO THOSE ORIGINALLY PLANTED IN THE BIO-TREATMENT BASIN. REMOVE ANY DEBRIS OR ACCUMULATION OF SEDIMENT.
- 3.1.7 IRRIGATION: WATER PLANTS IN BIO-TREATMENT BASINS DURING DRY CONDITIONS. CONFIRM THAT IRRIGATION IS ADEQUATE AND NOT EXCESSIVE.
- 3.1.8 PESTICIDES AND FERTILIZERS: APPLICATION OF PESTICIDES AND FERTILIZERS SHALL BE MINIMAL. BIOLOGICAL, PHYSICAL, AND CULTURAL CONTROLS SHALL BE USED PRIOR TO PESTICIDE AND FERTILIZER USE.
- 3.2 NON-ROUTINE OR CORRECTIVE MAINTENANCE REFERS TO ANY REHABILITATIVE ACTIVITY THAT IS NOT PERFORMED ON A REGULAR BASIS. THIS INCLUDES FLOW CONTROL STRUCTURE REPLACEMENT OR THE MAJOR REPLACEMENT AND CLEANING OF AQUATIC VEGETATION. NON-ROUTINE MAINTENANCE WILL BE COMPLETED AS NEEDED.
4. VECTOR CONTROL
- 4.1 OBJECTIVE: TO PREVENT CONDITIONS WITHIN BIO-TREATMENT BASINS THAT ATTRACT AND/OR PROMOTE THE GROWTH OF DISEASE VECTORS, INCLUDING BUT NOT LIMITED TO MOSQUITOES, RODENTS, AND FLIES.
- 4.2 MAINTENANCE ACTIVITIES FOR VECTOR CONTROL
- 4.2.1 INSPECTIONS: REGULAR INSPECTIONS WILL DETERMINE IF BIO-TREATMENT BASINS HAVE POOLS OF STANDING WATER OR DEBRIS ACCUMULATION. INSPECTIONS WILL BE CONDUCTED PRIOR TO THE RAINY SEASON, AFTER MAJOR STORM EVENTS, AND AT LEAST ONCE DURING THE DRY SEASON TO ASCERTAIN THAT STANDING WATER DRAINS FROM THE BIO-TREATMENT BASIN WITHIN 5 DAYS.
- 4.2.2 HOLES IN GROUND: ABATE POTENTIAL VECTORS BY FILLING HOLES IN THE GROUND IN AND AROUND THE BIO-TREATMENT BASIN AND BY INSURING THAT THERE ARE NO AREAS WHERE WATER STANDS LONGER THAN 5 DAYS FOLLOWING A STORM.
- 4.2.3 OTHER MAINTENANCE ACTIVITIES: IF ANY OBSTRUCTIONS DEVELOP (E.G. DEBRIS ACCUMULATION, INVASIVE VEGETATION, CLOGGING OF OUTLETS AND/OR UNDER DRAINS) WITHIN THE BIO-TREATMENT BASIN, APPROPRIATE MAINTENANCE ACTIVITIES SHALL BE IMPLEMENTED TO CORRECT THE OBSTRUCTION.

FLOW-THROUGH PLANTER



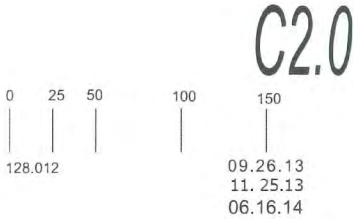
BIORETENTION AREA

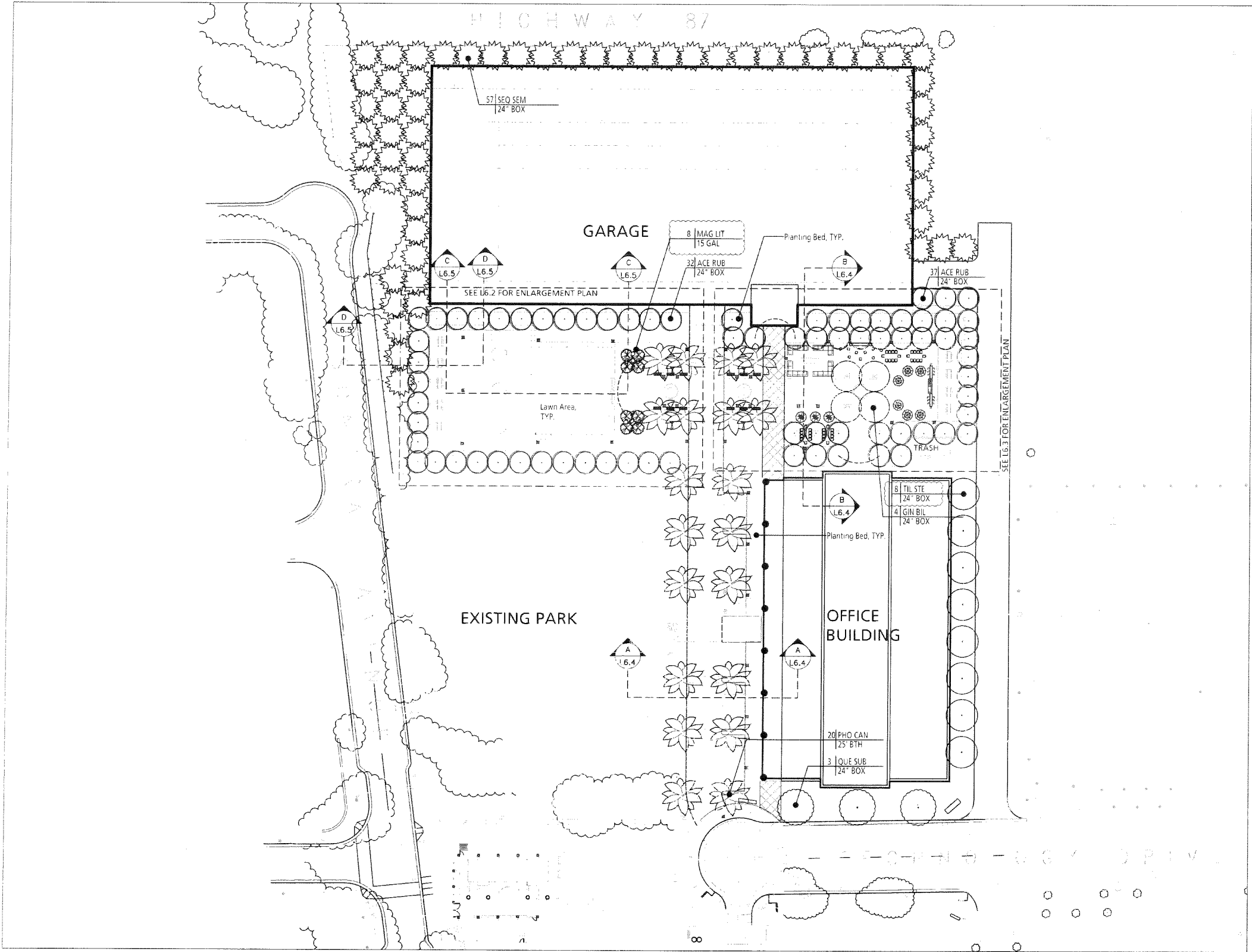
SKYPORT PLAZA-HOTEL/OFFICE

SAN JOSE, CALIFORNIA
EQUITY OFFICE
KENNETH RODRIGUES & PARTNERS, INC.

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3350 Scott Boulevard, Building 22
Santa Clara, California 95054
(408) 727 6665
fax (408) 727 5641

STORMWATER MANAGEMENT PLAN





PLANT PALETTE

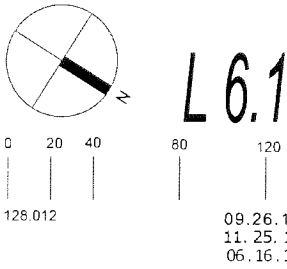
KEY				
TREES	SIZE*	BOTANICAL NAME	COMMON NAME	COMMENTS
ACE RUB	24" Box	Acer rubrum	Red Maple	Moderate Water Use
ARB MAR	24" Box	Arbutus 'Marina'	Strawberry Tree	Low Water Use
GIN BIL	24" Box	Ginkgo biloba	Ginkgo	Low Water Use
MAG LIT	15 Gal	Magnolia g. 'Little Gem'	Southern Magnolia	Low Water Use
PHO CAN	25' BTH	Phoenix canariensis	Canary Island Palm	Low Water Use
QUE SUB	24" Box	Quercus suber	Cork Oak	Low Water Use
SEO SEM	24" Box	Sequoia sempervirens	Coast Redwood	Low Water Use
TIL SIL	24" Box	Tilia tomentosa 'Sterling'	Sterling Silver Linden	Low Water Use
ZEL SER	15 Gal	Zelcova serrulata	Zelcova	Moderate Water Use
SHRUBS, PERENNIALS and GRASSES				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS
AP	5 Gal	Agapanthus 'Peter Pan'	Lily of the Nile	24" O.C. Moderate Water Use
AS	5 Gal	Arctostaphylos species	Manzanita	42" O.C. very Low Water Use
BG	5 Gal	Buxus s. 'Green Beauty'	Boxwood	36" O.C. Moderate Water Use
CT	5 Gal	Chandropetalum tectorum	Giant Rush	42" O.C. High Water Use
CS	5 Gal	Ceanothus 'Skylark'	Skylark California Lilac	42" O.C. Low Water Use
LS	1 Gal	Lavandula 'Steechas'	Spanish Lavender	30" O.C. Low Water Use
LC	5 Gal	Loropetalum chinense	Fringe Flower	36" O.C. Low Water Use
MR	1 Gal	Muhlenbergia 'Rego' Mist'	Dwarf Deer Grass	36" O.C. Low Water Use
MP	5 Gal	Myoporum 'Pahia Creek'	Pacific Myrtle	60" O.C. Low Water Use
PS	5 Gal	Phormium 'Sea Jade'	New Zealand Flax	30" O.C. Low Water Use
RW	5 Gal	Rosa 'White Simplicity'	Rose	42" O.C. Moderate Water Use
SC	5 Gal	Salvia clevelandii	Cleveland Sage	36" O.C. Low Water Use
**If used as or noted on plans as groundcover				
GROUNDCOVERS				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING**/COMMENTS
ARP	1 Gal	Arctostaphylos 'Pacific Mist'	Bearberry	36" O.C. Native/Low Water Use
BP	1 Gal	Baccharis pilularis	Coyote Brush	36" O.C. Native/Low Water Use
CE	1 Gal	Ceanothus gloriosus 'Emily Brown'	Point Reyes Ceanothus	36" O.C. Native/Low Water Use
IF	1 Gal	Iris douglasiana 'F. Coast Hybrids'	Pacific Coast hybrid Iris	18" O.C. Native/Low Water Use
R	1 Gal	Rosmarinus officinalis 'Irene'	Rosemary	24" O.C. Low Water Use
SH	1 Gal	Sarcococca hookeriana humilis	Sweet Box	36" O.C. Low Water Use
VINES				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS
CC	5 Gal	Clytostoma callistegioides	Violet Trumpet Vine	Moderate Water Use
FP	1 Gal	Ficus pumila	Creeping Fig	Moderate Water Use
PT	1 Gal	Parthenocissus tricuspidata	Boston Ivy	Moderate Water Use

SKYPORT PLAZA-HOTEL/OFFICE SITE

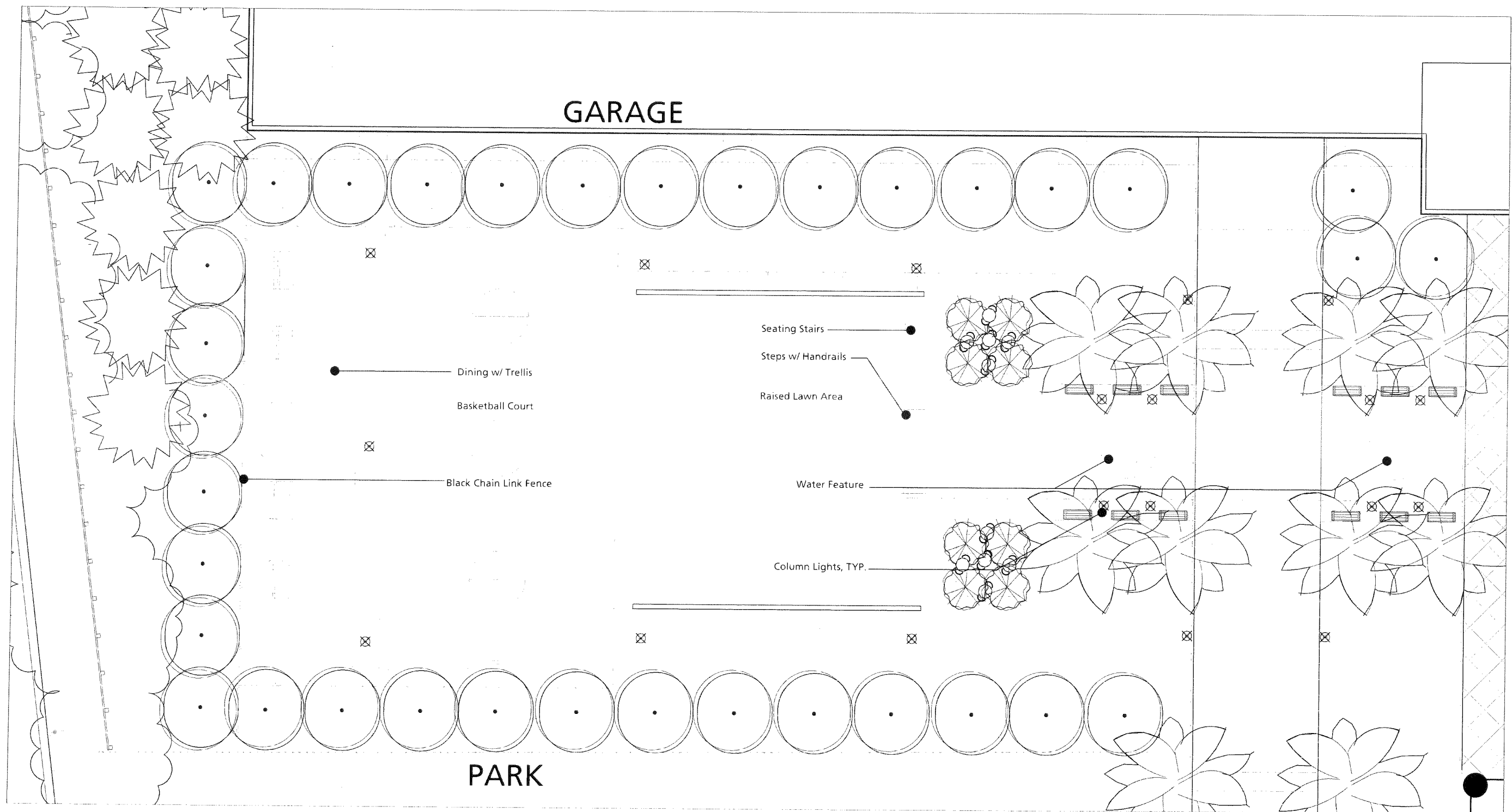
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CONCEPTUAL LANDSCAPE PLAN



09.26.13
11.25.13
06.16.14

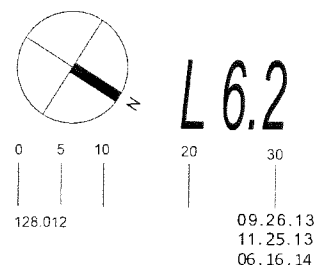


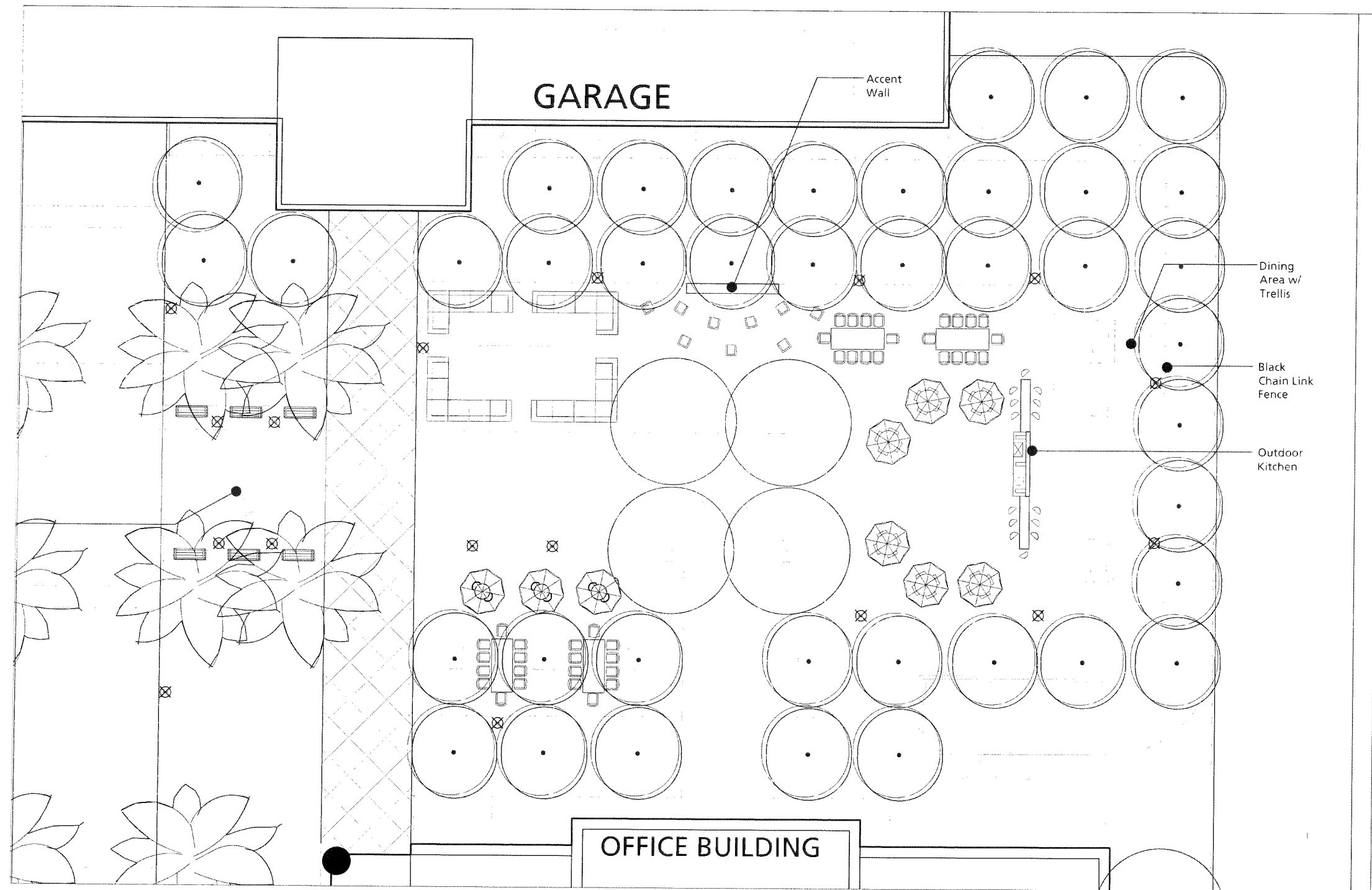
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ENLARGEMENT PLAN A



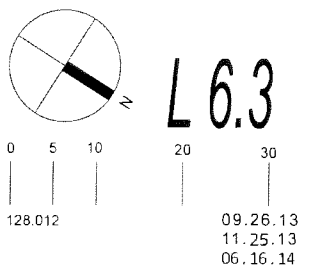


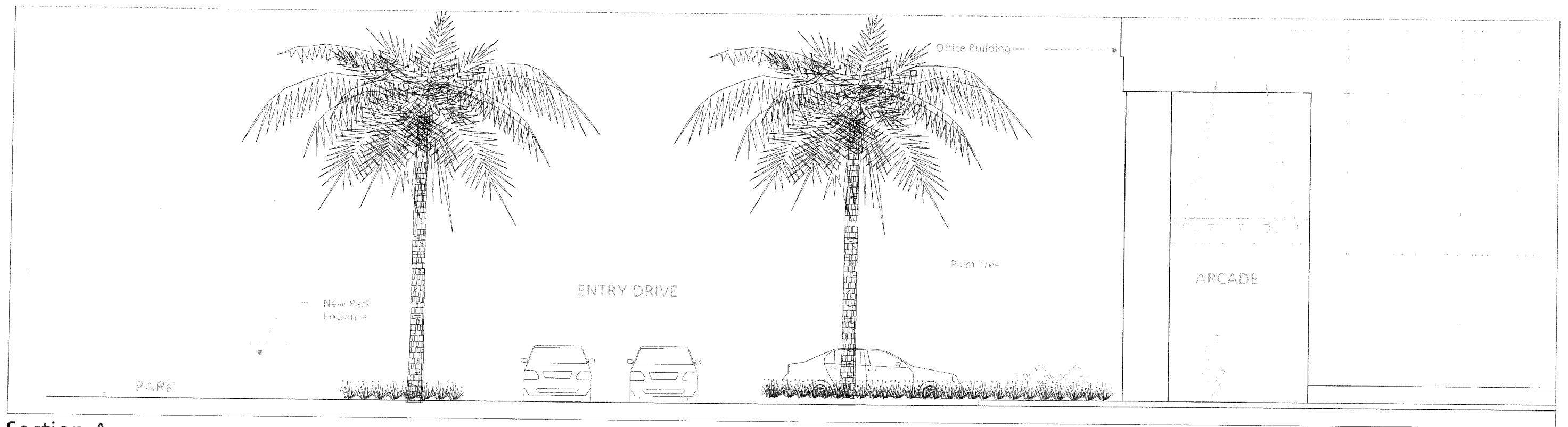
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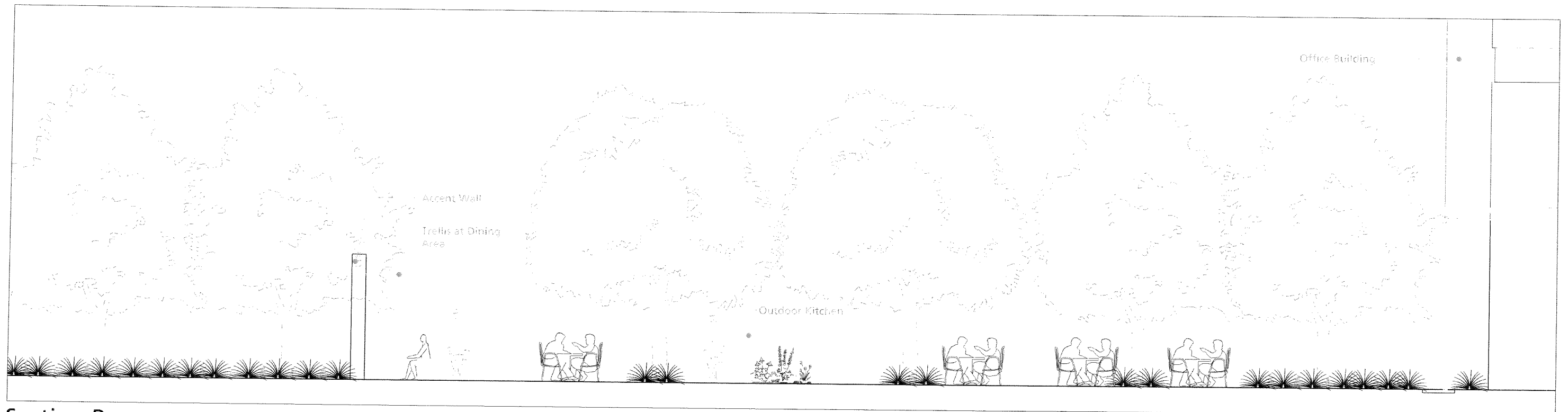
ENLARGEMENT PLAN B





Section A

Scale: 1/4" = 1'-0"



Section B

Scale: 1/4" = 1'-0"

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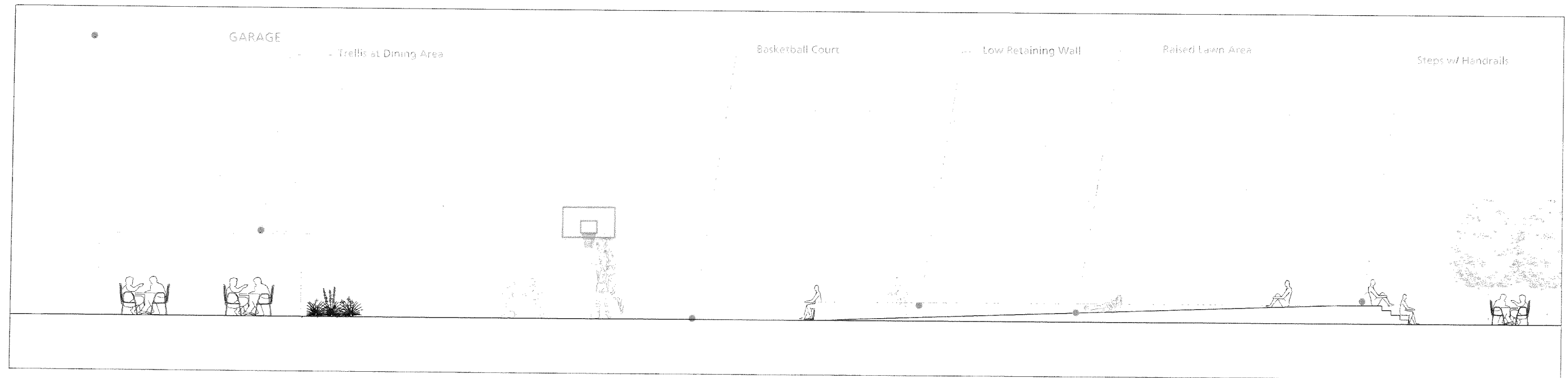
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SITE SECTION



128.012

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Section C

Scale: 3/16" = 1'-0"



Section D

Scale: 1/4" = 1'-0"

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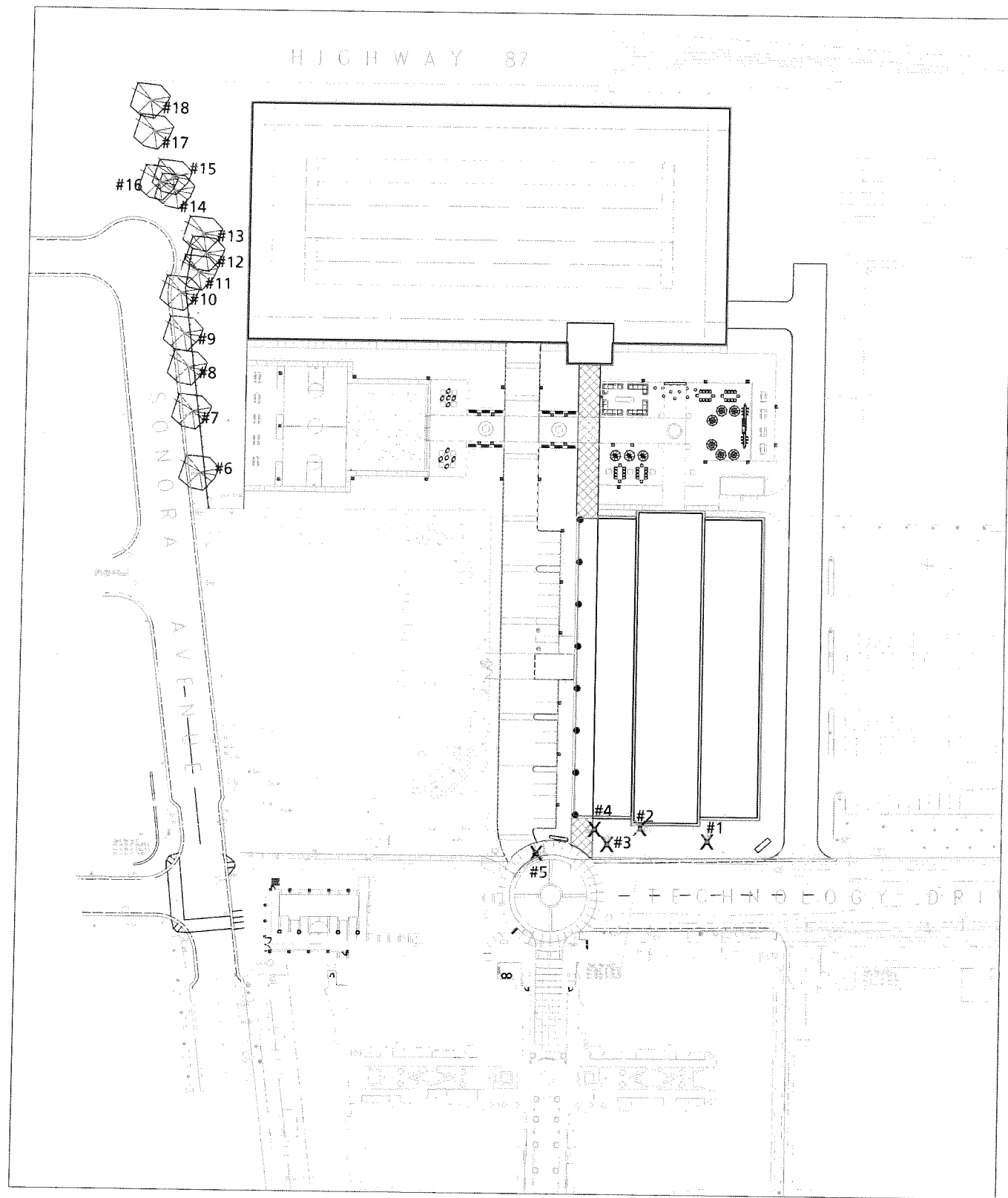
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SITE SECTION





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Tree Legend

-  Tree to remain
-  Tree to be removed

Existing Trees

Number of existing trees on site	18
Number of existing trees to be preserved	13
Number of existing trees to be removed	5

Proposed Trees

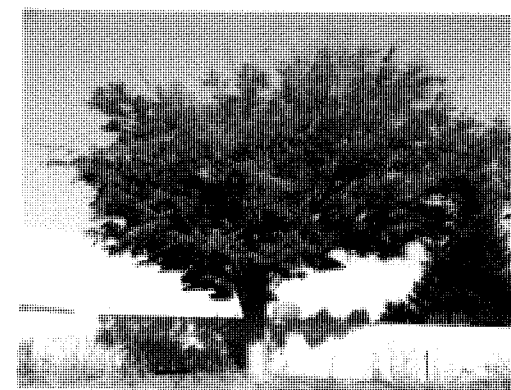
Number of proposed trees to be planted	165
Ratio of new trees to be planted to existing trees to be removed	32.6 : 1
Number of final trees on site	178

Tree Table

Number	Tree Species	Size (Circumference)	Ordinance Size Trees	Condition of Tree	Tree to be removed	Tree to be retained
1	ELM	50.2"	NO	FAIR	YES	NO
2	REDWOOD	75.4"	YES	GOOD	YES	NO
3	ELM	56.5"	YES	FAIR	YES	NO
4	REDWOOD	50.2"	NO	FAIR	YES	NO
5	PALM	31.4"	NO	GOOD	YES	NO
6	ZELCOVA	56"	YES	FAIR	NO	YES
7	BIRCH	31.4"	NO	FAIR	NO	YES
8	ZELCOVA	50.2"	NO	FAIR	NO	YES
9	ZELCOVA	37.7"	NO	FAIR	NO	YES
10	ZELCOVA	56.5"	YES	FAIR	NO	YES
11	REDWOOD	62.8"	YES	GOOD	NO	YES
12	REDWOOD	62.8"	YES	GOOD	NO	YES
13	REDWOOD	62.8"	YES	GOOD	NO	YES
14	REDWOOD	62.8"	YES	GOOD	NO	YES
15	REDWOOD	94.2"	YES	GOOD	NO	YES
16	REDWOOD	75.4"	YES	GOOD	NO	YES
17	ZELCOVA	56.5"	YES	FAIR	NO	YES
18	ZELCOVA	50.2"	NO	FAIR	NO	YES



Tree #2 Redwood, #3 Elm, #4 Redwood



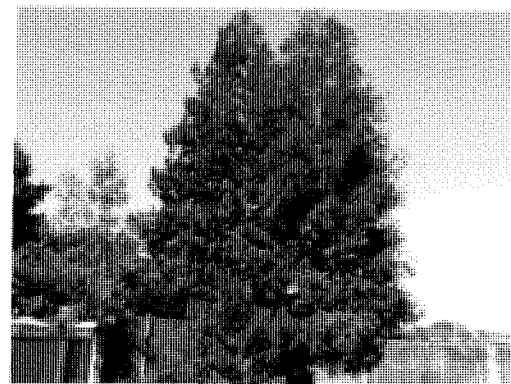
Tree #6 Zelcova



Tree #10 Zelcova



Tree #11_#12_#13 Redwoods



Tree #14_#15_#16 Redwoods



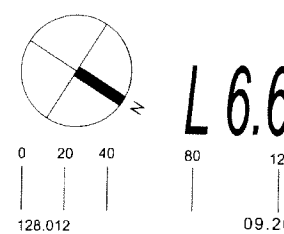
Tree #17 Zelcova

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TREE DISPOSITION PLAN



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06.16.14



Accent wall



Raised lawn area



Shady area w/ seats



Palm trees



Outdoor kitchen



Basketball court



Trellis



Water fountain



Pole light, table and chairs with umbrella



Existing street trees to remain



Quercus suber



Stormwater treatment



Stormwater treatment



Bike racks



Signage



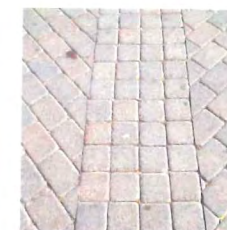
Column light



Neighborhood walk



Paving



Cul de sac paving



Black vinyl clad chain link fence



Vine on garage

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Landscape Imagery

L6.7

128.012

09.26.13
11.25.13
06.16.14

**The following
items were
received after
packets were
distributed.**

From: smulligan@resultsnottypical.org <smulligan@resultsnottypical.org> on behalf of Sean Mulligan <sbmulligan@gmail.com>

Sent: Wednesday, September 10, 2014 1:10 AM

To: Simvoulakis, Lea

Subject: Lea / Re: Striking Hearings for PDC13-041 for Violation of Notice Requirements

Dear Lea Simvoulakis,

Re: Striking Planning Commission and Council Hearings for PDC13-041 for Violation of Notice Requirements

I have spoken with various people at Rosemary Gardens, including a past President of the RGNA. They appear to be upset that the planning commission has violated express notice requirements that the applicant and planning commission agreed to (to notice "each household within Rosemary Gardens Neighborhood") and request that the planning commission and council hearings be summarily stricken from the respective agendas on 9/10/2014 and 9/23/2014 and that the applicant and planning department follow the agreed-to process and reinstate the June 2014 community meeting after mailing all homeowners within Rosemary Gardens the respective notice. Councilman Liccardo is known for caring about the integrity of government processes and I have been requested to forward this to him as well after conversations with others in Rosemary Gardens.

The documents, including the map showing a 1,000 foot radius are at:

https://sites.google.com/a/rosemary-sonora.org/main/skyport_notices

DOCUMENT TIMELINE

1) Ordinance 26064 dated 3/21/2000 has a history of extensive complaints regarding minimal noticing for the Spieker Properties/Equity Office complex. Because of the lack of notice, the applicant (with Ken Rodrigues as architect then and now) received approval with a council memorandum signed by then District 3 Councilwoman Cindy Chavez and signed by Mayor Ron Gonzales that states, "The applicant will work with City Planning Department staff to insure that any future project noticing goes beyond the minimum requirements and include noticing to each household within Rosemary Gardens neighborhood." **PLANNING DEPARTMENT DOCUMENTS ADMIT MULTIPLE TIMES THAT THIS DID NOT HAPPEN.**

2) The community meeting notice for June 4, 2014, has no noticing radius. However, the planning commission staff report, dated 9/3/2014, refers to this meeting from June 4, 2014, and states that the noticing radius was 1,000 feet. Per the agreement, this should have been all households within the Rosemary Gardens neighborhood.

3) The planning commission staff report dated 9/3/2013 states that the noticing for the June 4, 2014, meeting was 1,000 feet. Per the agreement, this should have been all households within the Rosemary Gardens neighborhood.

4) The Skyport Office Rezoning notice for 9/10/2014 (planning commission) and 9/23/2014 (council hearing) have an express notice of 1,000 feet.

5) The GIF map shows that a 1,000 foot noticing radius misses about 80% of the homes within Rosemary Gardens; hence, the violation of the agreement is material.

These four (4) documents are shown at:

https://sites.google.com/a/rosemary-sonora.org/main/skyport_notices

I have other emails blaming the planning department for losing requirements, where the city attorney blames the planning department for losing the requirements and that has led to significant strife between The Sonora HOA and the RGNA.

Many feel that the planning department needs to be better organized.

QUESTIONS:

Question-1) Can PDC13-041 be stricken from the 9/10/2014 planning commission agenda and from the 9/23/2014 council agenda, and Ken Rodrigues and the planning commission restart the noticing process and community hearings as agreed to?

Question-2) If the complaint is made at the Planning Commission on 9/10/2014, because PDC13-041 is not stricken from the agenda in advance of the meeting, who should be blamed:

- A) the planning department
- B) the applicant
- C) Ken Rodrigues
- D) the past city council and mayor for agreeing to this noticing requirement

Question-3) If the complaint is made at the City Council on 9/23/2014, because PDC13-041 is not stricken from the Planning Commission agenda and the commissioners approve this, who should be blamed:

- A) the planning department
- B) the applicant
- C) Ken Rodrigues
- D) the past city council and mayor for agreeing to this noticing requirement
- E) the members of the planning commission who recommended approval to the City Council

Your timely response early in the day to the three questions above can save everyone some time, reduce greenhouse gas emissions, and allow people to prepare for what comments need to be made.

Personally, I am in favor of the 350,000 sq. foot office building, subject to terms and conditions consistent with Envision 2040 and with integrity in government processes.

I am conveying this to you on behalf of multiple members of the Rosemary Gardens Neighborhood Association whom I have personally spoken with.

Again, please see the following URL for planning commission documents:

https://sites.google.com/a/rosemary-sonora.org/main/skyport_notices

Please print and provide the above-referenced documents and notices and the map showing the limits of the 1,000 noticing radius to the Planning Commission unless this is stricken from the agenda before the hearing.

Various members of the Sonora HOA and Rosemary Gardens are working together and we intend to formalize this relationship soon.

The noticing requirements for PDC13-041 are extremely important as the project will affect over 10,000 people for years to come, not the least of which are the over 7,000 employees/residents of the Skyport Plaza Master Association, operated, for the most part, by Equity Office.

Going forward, the planning commission should modify its noticing requirement processes to check for agreements made outside of applicable law.

Made at the request of RGNA members...

—Sean Mulligan

1 of 5 directors of the Sonora HOA who does not represent the opinions of the Sonora HOA Board

**Noticing Radius of 1000 feet
for June 2014 meeting at Bachrodt,
September 10, 2014 for planning
commission, September 25 for city
council.**

**Region that did not
receive notice and
should have per
Ordinance 26064
(PDC 99-060)
Ken Rodrigues et al**

**"The applicant will work with City
Planning staff to insure that any future
project noticing goes beyond minimum
requirements and include noticing of
each household within the Rosemary
Gardens neighborhood."**

Legend showing 1000 ft.

